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THE LIFE

OF

THE RIGHT HONOURABLE

JOHN PHILPOT CURRAN.

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JOHN PHILPOT CURRAN,

LATE MASTER OF THE ROLLS IN IRELAND.

BY HIS SON,

WILLIAM HENRY CURRAN,

BARRISTER AT LAW.

IN TWO VOLUMES.

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CHAPTER I.

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THE order of this work has now brought us to the year 1798,—*the year* 98!—a sound that is still so full of terrible associations to every Irishman's imagination. During the agitated period which fo[illegible]ed the transactions of 1782, Ireland ha[illegible]en the

newly-acquired spirit of her people, inflamed by disappointment, by suffering, and by ignorance, discharging itself in bursts of individual or local turbulence, which were not much felt beyond the particular persons, or the immediate spot. But the hour, of which these were the prophetic signs, and of which so many warning and unheeded voices foretold the approach, at length arrived, bringing with it scenes of civil strife that struck dismay into every fibre of the community, sending thousands to the grave, thousands into exile, and involving many a virtuous and respected family in calamity and shame.

In adverting to the events of this disastrous era, it would be an easy task to recapitulate its horrors, or, according to the once popular method, to rail at the memories of its victims: but it is time for invective and resentment to cease; or, if such a feeling will irresistibly intrude, it is time at least to control and suppress it. Twenty years have now passed over the heads or the graves of the parties to

that melancholy conflict, and their children may now see prospects of prosperity opening upon their country, not perhaps of the kind, or to the extent to which in her more ambitious days she looked, but assuredly of a more rational description than could have been attained by violence; and such as, when realised, as they promise soon to be, will compensate for past reverses, or at all events console. At such a moment, in approaching this fatal year, we may dismiss every sentiment of personal asperity, or posthumous reproach; without wishing to disturb the remorse of those upon either side who may be repenting, or to revive the anguish of the many that have suffered, we may now contemplate it as the period of an awful historical event; and allude to the mutual passions and mistakes of those who acted or perished in it, with the forbearance that should not be refused to the unfortunate and the dead.

It has been seen, in the preceding pages, that the system by which Ireland was governed had excited general dissatisfaction,

and that, in the year 1789, several of the most able and distinguished persons in the Irish parliament formed themselves into a body, for the avowed design of opposing the measures of the administration, and of conferring upon their country, if their exertions could enable them, all the practical benefits of a free constitution. While they were scarcely yet engaged in this arduous struggle, the French revolution burst upon the world—not, as it has since been witnessed, presenting images of blood and disorder, but coming as the messenger of harmony and freedom to the afflicted nations. This character of peace and innocence it did not long retain, or was not allowed to retain; but, in the progress of its resistless career, its crimes seemed for a while almost justified by the grandeur of their results, and by the imposing principles which they were committed to establish. It soon appeared how popular talent, combined with popular force, could level all the old decrepit opinions against which they had confederated, and Europe

was fixed with mingled wonder and dismay upon the awful spectacle of a self-emancipated people seated upon the throne, from which they had hurled the descendant of their former idols as an hereditary usurper.

The effects of this great event, and of the doctrines by which it was defended, were immense. Every day some long-respected maxim was tried and condemned, and a treatise sent forth to justify the decision. The passions were excited by addressing the reason—by bold and naked appeals to the primitive and undeniable principles of human rights, without allowing for the numberless accidents of human condition by which those rights must inevitably be modified and restrained. Philosophy no longer remained to meditate in the shade—she was now to be seen directing the movements of the camp, or marching at the head of triumphal processions, or presiding at civic feasts and regenerating clubs. In all this there was absurdity—but there was enthusiasm. The enthusiasm spread with contagious

fury. Every nation of Europe, every petty state became animated by a new-born vigour and unaccustomed pretensions; and, as if awaking from a long slumber, imagined that they had discovered in the old social bonds the shackles that enslaved them. "The democratic principle in Europe was getting on and on like a mist at the heels of the countryman, small at first and lowly, but soon ascending to the hills, and overcasting the hemisphere*." This principle made its way to England, where the better genius of the constitution prevailed against its allurements: it passed on to Ireland, where it was welcomed with

* Mr. Grattan's Letter to the Citizens of Dublin.

The readers of Milton will not fail to recognise this image, and to observe the use which men of genius can make of their predecessors.

> All in bright array
> The cherubim descended—on the ground
> Gliding meteorous, as evening mist
> Ris'n from a river o'er the marish glides,
> And gathers ground fast at the lab'rer's heels
> Homeward returning.
>
> PARADISE LOST, Book xii.

open arms by a people who had been long since ripe for every desperate experiment.

During the twenty years which preceded the French revolution, the progress of intelligence in Ireland had been unprecedented—a circumstance which is to be in part attributed to the general diffusion of knowledge at the same period throughout the European community, but still more to the extraordinary excitement which her own domestic struggles had given to the Irish mind. In Ireland almost the whole of this accession of intellect was expended upon political inquiries, the most natural subjects of investigation in a country whose actual condition was so far below her most obvious claims; and this peculiar attention to local politics seems to have been the reason that her contributions to general science and literature have not been commensurate with the genius and increased acquirements of her people. It has already been shown how much of this new energy was exerted upon the parliament for the reformation of the old penal

system, which it was evident the nation had determined no longer to endure: but the parliament was inexorable; and, by thus unnaturally opposing, instead of conducting, and sometimes indulging, sometimes controlling the public sentiment, left it at the mercy of all whose resentment or ambition might induce them to take advantage of its exasperation.

Of such there were many in Ireland. There were several men of speculative and enterprising minds, who, in looking upon the obstinate defence of abuses at home, and the facility with which they had been banished from a neighbouring country, became convinced that a revolution would now be as attainable as a reform, and that there was a fund of strength and indignation in the Irish people, which, if skilfully directed, would vanquish every obstacle. There is no intention here of passing any unthinking panegyric upon those who were thus meditating a conspiracy against the state—upon the merits of such fatal appeals to chance and violence, no friend to

law and humanity can hesitate a moment —but it is due to historical truth to state, that, in the present instance, they were not a band of factious demagogues, of desperate minds and ruined fortunes, who were looking to a revolution as a scene of confusion and depredation. In the formation of such a confederacy there could, indeed, have been no scrupulous selection of persons. Several, no doubt, entered into the association from private motives; —some from ambition—some from vanity —some from revenge;—but there were many whose mental attainments, and personal virtues, and enthusiastic fidelity to the cause they had espoused, extorted the admiration and sympathy of those who were the least disposed to justify their conduct, or deplore their fate.

As early as the year 1791 the future leaders of the projected designs were taking measures for organising the public force, by producing a general union of sentiment among the various classes upon whose co-operation they were to depend. As yet neither their plans nor objects were distinct

and defined; but without any formal avowal of those objects to each other, and perhaps without being fully apprized themselves of their own final determinations, they took as effectual advantage of every public accident as if the whole had been previously digested and resolved. About this period several of the friends to constitutional monarchy, among whom appeared some of the most respected and exalted characters in the country, united in forming political societies*, for the purpose of collecting together all the rational supporters of

* The principal of these was the Whig Club, which was formed under the auspices of the late Lord Charlemont. The example was soon followed by the establishment of societies of United Irishmen at Belfast and Dublin, and finally in every part of the kingdom. It would be inconsistent with the limits of this work to trace minutely the progress of these societies; but it should be observed, that several who were leading members of the United Irishmen, when their designs had become revolutionary, were unconnected with them at an earlier period. It is also necessary to remark, that, though many of those who took an active part in their proceedings at every period of their existence would originally have been satisfied with a reform, there were exceptions. See the following note.

freedom, and, by affording a legal and public channel of expression to the popular sentiment, of preventing the adoption of secret and more formidable combinations. Many of the persons, who were afterwards the most active promoters of more violent proceedings, became members of these societies, of which the avowed object was a simple redress of grievances —and with this there is reason to believe that the future leaders of the conspiracy would in the first instance have been satisfied; but soon perceiving the improbability of such an event, while they continued, as members of the original and legal associations, ostensibly to limit their views to a constitutional reform, they were industriously establishing subordinate clubs *

* Entitled "Societies of United Irishmen." By the test of the more early of these societies, the members pledged themselves "to persevere in endeavouring to form a brotherhood of affection among Irishmen of every religious persuasion, and to obtain an equal, full, and adequate representation of all the people of Ireland *in the Commons House of Parliament.*" In the year 1795 the latter words were struck out, in order to accommodate

throughout the country, to which, in order to allure adherents, and to evade suspicion, they assigned the same popular denominations, and the same tests; but, by impressing on the minds of all who were admitted (and all of every class were admitted) that no hope of constitutional redress remained, they speedily formed them into a widely

the test to the revolutionary designs that began to be generally entertained.—Report of the Secret Committee, 1798.

It is a received opinion, that the celebrated Theobald Wolfe Tone was the author of the Constitution of the later United Irishmen; but the writer of this work is informed by a gentleman now in Ireland, who was intimately connected with Mr. Tone, that he himself denied this to be the fact. "He assured me (adds the gentleman alluded to) that Captain Thomas Russell, to whom he was for many years so warmly attached, was the person who drew up that remarkable paper, and that he (Tone) was not a member of the *close* society of United Irishmen till the eve of his embarking at Belfast for America, in the summer of 1795." It is, however, certain that Mr. Tone, as far back as 1791, strongly recommended to the societies of United Irishmen, then in their infancy, to attempt a revolution, as appears from his letter written in that year to the society at Belfast.—Report of the Secret Committee—Appendix.

extended confederacy, under the name of the Irish Union, for revolutionising Ireland, and establishing a republic.

This statement refers more immediately to the north of Ireland, where a large portion of the inhabitants were protestants or dissenters, who, having no religious disabilities to exasperate them, and being to a considerable degree possessed of affluence and education, must be supposed to have been determined to republican principles upon purely speculative grounds. It should, however, be observed, that, simultaneously with their proceedings, and without any connexion or communication with them, a most formidable league existed among the poorer catholics of several districts. These latter, assuming the name of Defenders *, had originally associated to repel

* The Defenders first appeared about the year 1785: they increased rapidly, and soon attained a considerable degree of organisation. From their oath and rules, which are couched in the rudest language, it sufficiently appears that the association must have been composed of the lowest orders in the community.

the local outrages of their protestant neighbours. The frequency and the length of the conflicts in which they were involved, had forced them into a kind of barbarous discipline and coherence; and having now become confident from their numbers, and from their familiarity with success or with danger, they began to despise the laws, of which they had vainly invoked the protection, and to entertain a vague idea that their strength might be successfully employed for the improvement of their condition. While their minds were in this state of confused excitation, emissaries were despatched from the united societies to explain to them their wrongs, and to propose the remedy. The Defenders were easily persuaded by the eloquence of doctrines, which only more skilfully expressed their previous sentiments; and, laying aside their religious resentments and distinctive appellation, adopted the more general views and title of United Irishmen.

Before the year 1796, societies of United Irishmen prevailed in every quarter of the

kingdom. The great majority consisted of the lowest classes, of whom all that had the inducements of degradation, or of personal animosities, readily enlisted under a standard that was to lead them to freedom and revenge. In order to secure an uniformity of action, and habits of subordination, a regular and connected system (comprising committees, baronial, county, and provincial; and, finally, an executive) was established, and periodical returns of members admitted, arms procured, money contributed, and of every other proceeding, were made with all the forms and order of a civil state.

Their numbers had soon become so great, that nothing but discipline seemed wanting to the accomplishment of their objects; and when we consider the description of men of whom the mass was composed, we cannot contemplate without surprise the spirit of ardour and secrecy that they displayed, and the enthusiastic patience with which they submitted to the irksomeness of delay, and to the

labours and dangers by which alone any degree of discipline could be acquired. In the neighbourhood of the capital and the principal towns, where large bodies could not have assembled without discovery, they separated into very small parties, each of which appointed the most skilful to direct its manœuvres. The most active search was made for persons who had ever been in the military profession, to whom every motive of reward, and rank, and expected glory, were held out, and generally with success, to allure them into the association. Under these they met, night after night, to be instructed in the use of arms; sometimes in obscure cellars, hired for the purpose; sometimes in houses, where every inhabitant was in the secret; it even sometimes happened that in the metropolis these nocturnal exercises took place, in the habitations of the more opulent and ardent of the conspirators. In the interior their evolutions were performed upon a more extensive scale. There, every evening that the moon, the

signal of rendezvous, was to be seen in the heavens, the peasant, without reposing from the toils of the day, stole forth with his rude implement of war, to pass the night upon the nearest unfrequented heath, with the thousands of their comrades, who were assembled at that place, and hour, as for the celebration of some unrighteous mysteries. It was also a frequent custom at this time, among the lower orders, to collect in large bodies, under the pretext of indulging in some of the national games of force; but for the secret purpose of inspiring mutual confidence, by the display of their numbers, and their athletic forms, and of exercising in those mimic contests the alertness and vigour which they were so soon to employ in the real conflict. The general enthusiasm was kept alive by the distribution of songs in praise of freedom, arranged to popular native airs. Green, the old distinguishing colour of the island, and in itself, from its connexion with the face and restorative energies of nature, an excitant to the imaginations of

men, who conceived themselves engaged in a struggle for the recovery of their natural rights, was adopted as their emblem. Their passion for spirituous liquors, a propensity that seems in some degree peculiar to those with whom it is the only luxury, and to those who have exhausted every other, was restrained, by explaining to them the embarrassment in which the sudden non-consumption of such a source of revenue would involve the government. And so intense was the ardour for the general cause, that this inveterate indulgence was sacrificed to such a motive, and the populace became for a while distinguished by habits of unaccustomed, and it might be said, impassioned sobriety*.

The leaders of the United Irishmen began now (1796) to look with confidence to the success of their designs; but foreseeing that notwithstanding their strength

* Of the preceding facts, some are taken from the report of the secret committee, and others are given upon the authority of individual information.

and enthusiasm, the contest with the regular forces of the government might be sanguinary and protracted, they were anxious to call in the aid of a disciplined army, which, by directing the movements and restraining the excesses of the insurgents, might enable them to decide the struggle at a blow. For such a reinforcement they turned their eyes towards France. The documents produced upon Jackson's trial had lately given them public intimation, that that country was disposed to assist the Irish malcontents. The latter were aware that France could have no interest in promoting a constitutional reform in Ireland, of which the obvious effect would have been an accession of strength to the British empire: they therefore applied for a military aid to effect a separation from England*. This would evidently be an in

* The United Irishmen despatched an agent to France for this purpose, about the middle of 1796. Mr. Tone was then at Paris, and exerting all his influence to the same effect. In the first memorial which Mr. Tone presented to the French directory, in order to induce them

portant object with the French government; and it was the necessity of holding

to send an expedition to Ireland, he stated that at that period more than two-thirds of the sailors in the British Navy were Irish; that he was present when the Catholic delegates urged this to Lord Melville as one reason for granting emancipation, and that his lordship had not denied the fact. This statement was understood to have had great weight with the directory, who immediately committed the whole of the subject to the consideration of Carnot (then one of the directory), and Generals Clarke and Hoche.

The gentleman who has communicated the preceding circumstance has added the following anecdote:

Soon after the question of an expedition to Ireland had been left to the decision of Carnot, Clarke, and Hoche, they named an evening to meet Tone at the palace of the Luxembourg. Tone arrived at the appointed hour, eight o'clock. He was ushered into a splendid apartment. Shortly after the director and the generals made their appearance: they bowed coldly, but civilly, to Tone, and almost immediately retired, without apology or explanation, through a door opposite to that by which they had entered. Tone was a good deal struck by so unexpected a reception; but his surprise increased, when ten o'clock arrived, without the appearance of, or message of any kind from, those on whom all his hopes seemed to depend. The clock struck eleven, twelve, one—all was still in the palace; the steps of the sentinels, on their

out such an inducement that in some degree determined the Irish directory to the final and extreme measure of a revolution. The French authorities accepted the proposal, and immediately prepared for the embarkation of an army to co-operate with the Irish insurgents. But the main dependance of the leaders of the conspiracy was upon the Irish populace; an agricultural population, full of vigour, burning for the conflict, and long inured to habits of insurrection. Of these 500,000 were in arms.

If it should here be asked by any of the

posts without, alone interrupted the dead silence that prevailed within. Tone paced the room in considerable anxiety; not even a servant had entered of whom to inquire his way out, or if the director and the generals had retired. About two o'clock the folding doors were suddenly thrown open; Carnot, Clarke, and Hoche entered; their countenances brightened, and the coldness and reserve so observable at eight o'clock had vanished. Clarke advanced quickly to Tone, and taking him cordially by the hand, said, "*Citizen! I congratulate you; we go to Ireland.*" The others did the same; and having fixed the time to meet again, the persons engaged in this remarkable transaction separated.

many subjects of the same empire, who still continue strangers to the former condition of Ireland, how so long and formidable a system of secret organisation could have been carried by her people for the violent design of revolutionizing their country? the answer is not difficult. It sprang from their degradation, and from the ignorance and revenge that accompanied it. The rebellion of 1798 was a servile war. In Ireland her millions of peasantry were a mere collection of physical beings, to whom nature had amply dispensed every human passion, but to whom society had imparted no motives to restrain them. The informing mind of a free constitution had never reached them; they never felt the tranquillizing consciousness, that they were objects of respect. In Ireland the state was not the "great central heart," that distributed life and health, and secured them in return. The old Irish government was a mechanical, not a moral system; it was, what it has been so often likened to, a citadel in an enemy's

country; its first and its last expedient was force; it forgot that those whom no force can subdue, nor dangers terrify, will kneel before an act of conciliation. But it obstinately refused to conciliate, and the people at length, prepared by the sufferings and indignities of centuries, listened with sanguine or desperate credulity to the counsel which reminded them of their strength, and directed them to employ it in one furious effort, which, whether it failed or prospered, could not embitter their condition.

The spirit of the government found a ready and fatal co-operation in the gentry of the land. Never was there a class of men less amenable to the lessons of experience; adversity, the great instructor of the wise, brought to them all its afflictions without their antidote. Every fierce, inveterate resentment of the race lineally descended, with the title-deeds, from the father to the child. Year after year the landlord's house was fired, his stock was plundered, his rent unpaid, his land a

waste, and each succeeding year he was seen effecting his escape, through scenes of turbulence and danger, from his estate to the capital, to make his periodical complaint of his sufferings, and to give the minister another vote for their continuance.

The Irish landlord of the last century was the great inciter to insurrection. With a nominal superiority of rank and education, he was in every ferocious propensity upon a level with the degraded dependants, whom he affected to contemn, and whose passions he vainly laboured to control; because he had never set them the example by controlling his own. Finding his efforts abortive, he next vindictively debased them; and the consequence was, that in a little time he shared the same fate with his victims. The condition of Ireland during the eighteenth century affords a striking and melancholy example of the certain retribution with which a system of misrule will visit those who so mistake their own interests as to give it their support. An inconsiderable order,

or a single sect, may (however unjustly) be degraded with impunity; but the degradation of the mass of a nation will inevitably recoil upon its oppressors. The consequences may not always be visible in formidable acts of force; but there is a silent and unerring retaliation in the effects upon morals and manners, by which the tyrant is made eventually to atone for his crimes. In every condition of society the predominating sentiments and manners will spread and assimilate. In highly polished states they may be observed descending from the higher to the inferior ranks. The courtesy and humanity of the old French peer were found to give a tinge to the conversation of the mechanic. In uncivilized countries the progress is the reverse; the rudeness of the boor will ascend and taint his master. The latter was the case in Ireland; the Irish peasant, in his intercourse with his superiors, saw nothing of which the imitation could soften and improve him. The gentry, although conscious that their religion, and the vio-

lent means by which so many of them had acquired their properties, excited the suspicion and aversion of those below them, resorted to every infallible method of confirming these hostile impressions. Instead of endeavouring to eradicate them by mildness and protection, they insulted and oppressed. The dependant, unrestrained by any motive of affection or respect, avenged himself by acts of petty outrage. The outrage was resented and punished as an original unprovoked aggression. Fresh revenge ensued, and hence every district presented scenes of turbulent contention, in which the haughty lord lost whatever dignity he had possessed, and finally became infected with the barbarous passions and manners of the vassals whom he had disdained to civilize, till he required as much to be civilized himself.

The attachment of the Irish peasant to the government was suspected; but nothing could have been more unskilful than the means adopted to secure his fidelity.

The Irish aristocracy, who imagined that because they were loyal, they might proceed to every violent extreme, were a band of political fanatics, and would have made proselytes by the sword. They knew nothing of the real nature of the allegiance which they were so zealous to establish, and which was never yet established by the sword. They were not aware that the allegiance of a nation to the state is a feeling compounded of a thousand others, half interest, half sentiment, of gratitude, of hope, of recollections, of the numberless minute and "tender influences," that reconcile the subject to his condition; that it is seldom a direct and defined attachment to the sovereign, but a collection of many subordinate attachments, of which the sovereign has all the benefit; that it is but the youngest of the group of private virtues, and, like them, must be reared in the bosom of domestic comfort; that it is upon the moral allegiance of each rank to its immediate relations, of the servant to his

master, of the artisan to his employer, of the tenant to his landlord, that must be founded the political allegiance of the whole to the state.

Those mistaken loyalists supposed that they were teaching allegiance by a haughty and vindictive enforcement of the laws against its violation. They did not see that they were exacting from the laws what no laws could perform; that their positive provisions must be always impotent, where their spirit is not previously infused into the subject by manners and institutions. In Ireland these two were at perpetual variance. The Irish lawgiver passed his statute, setting forth, in pompous phraseology, its wisdom and necessity, and denouncing the gibbet against the offender, and then returned to his district, to defeat its efficacy, by giving a practical continuance to the misery, the passions, the galling epithets, and the long train of customary insults and local provocations that were for ever instigating to crime. He did, what was stranger and more absurd than

this—he had the folly to put the state in competition with a power above it. He trampled upon the religion of the people * —not reflecting, that, though by the doctrines of Christianity all injuries are to be forgiven, it had been the universal practice of its various sects, for successive centuries, to except the offences committed against themselves. He pointed to the peasant's chapel, and gloried in the reflection, that the disloyal bell which had called their fathers to worship should never sound upon the ears of their children;—as if to approach his Maker with a little show of decent pomp was not the harmless pride of every man of every faith upon the surface of the globe. He thought he could drive them along the path of allegiance,

* The first attacks upon the Irish catholics originated in the English parliament; but the Irish aristocracy gave the penal code their fullest support. Had the latter performed their duty, and undeceived England upon the supposed necessity of continuing it, the fate of Ireland would have been very different: but upon this subject England was abused, and is to this hour abused.

where he had placed their religion to stop the way; and was surprised, that, when the alternative was to be made, they should turn upon their driver rather than advance in the face of what they dreaded more than death.

The mass of the Irish people were tillers of the soil, and were thus systematically debarred, by those who should have been their patrons and instructors, from every motive to be tranquil. The country gentleman, the great bulwark (if he performs his duties) against extended projects of revolution; hated them and feared them. He received them with sullen reserve when they brought him his rent, and trembled at the vigorous hands that paid it; but there was no moral intercourse between them, no interchange of sympathy and endearing offices. The landlords, in constant alarm for their property and safety, would not convert the depredator into a protector. They opposed the tenant's education, which would have taught him to employ his idle hours in acquiring a

love of order, instead of passing them in plans to recover in plunder what he had paid in rent, and looked upon as tribute. Erecting themselves into the little deities of their own district, they would not let the tenant touch of knowledge, lest he should "become as one of them." They drew between themselves and their natural allies a proud line of separation, which effectually cut off all communications of reciprocal affection, but proved a barrier of air against the irruptions of hatred and of force. In Ireland there were none of those feudal privileges which bring the persons and feelings of the Scottish dependants into closer contact with those of their superiors. The Irish peasant was never seen in the hall of his lord. He was left in his hovel to brood over his degradation—to solace or inflame his fancy with legendary traditions of his country's ancient glory, and with rude predictions of her coming regeneration, and to hail, in every factious spirit, the Messiah that was to redeem her.

These were the real causes of the avidity

with which the Irish populace entered into this formidable conspiracy. The government was early apprised of its existence, though not of its extent, and took very vigorous but ineffectual means to suppress it. Session after session it resorted to measures of terror or precaution, by penal acts and prosecutions, to try their efficacy; but, of the persons thus proceeded against, the acquittal of many only served to bring discredit upon the administration, while the executions of such as were convicted were regarded by their party as so many acts of hostile severity, that called, not for submission, but revenge. The ministers of the crown conducted themselves, at this trying crisis, with a zeal which could not be too much applauded, if it were not so often carried to excess, and with the most undoubted fidelity to the powers whom they served; but throughout they committed one fatal error, which must for ever detract from their characters as able statesmen. Because it was evident that a few educated men were at the head of the

popular combinations, they adopted, and to the last persisted in the opinion, or at least in the assertion, that the whole was essentially a conspiracy of a few speculative adventurers, who had *seduced* the nation from its allegiance, and that all the power and wisdom of the state was to be confined to the counteraction of the malignant design; and to this notion, notwithstanding its daily refutation, they adhered, with the spirit rather of persons engaged in an acrimonious controversy, than of ministers whose duty it was to save the country from the horrors of a civil war*. It was to no purpose that the sophistry by which they defended it was exposed—it was in vain that they were told, by men who knew the state of Ire-

* Even after the suppression of the rebellion, when the government possessed the fullest information regarding its origin and progress, the viceroy, in his speech to the parliament, was made to say, "the foulest and darkest conspiracy was *formed* and long carried on by the implacable enemy of this realm, for the total extinction of the constitution," &c.—*Lord Lieutenant's Speech, October 6, 1798.*

land and the general course of the human passions as well as they did, that their reasonings would never satisfy the disaffected —that the dissatisfaction was not temporary or accidental, but radical—and that it was only a waste of time and of life to resort to unpopular laws and frequent executions, while the parent mischief remained untouched upon the statute book. The Irish ministry not only spurned those counsels, which the event proved to have been prophetic, but, superadding a farther error, they reviled the advisers with so little discretion, that they gave the real conspirators official authority for believing that the opposers of the administration were secretly the advocates of rebellion, and thus afforded them an additional incitement to persevere in their designs *.

* A leading member of the minority in the Irish House of Commons was the late Mr. George Ponsonby, a gentleman, who, if the purest constitutional views and personal dignity of deportment could have saved from insults, would have escaped them; but at this period no dignity was a protection. He, among others, impressed

This glaring departure from the most obvious prudence has been variously accounted for. By many it has been attributed to incapacity. A more general opinion was, that the government was fomenting the conspiracy, in order that

upon the ministry that Ireland could be preserved from the threatened crisis by no means but by a complete reform of the parliament, by catholic emancipation, and by an equalization of commerce between England and Ireland. The following was the answer of one of the servants of the crown (the solicitor-general) to Mr. Ponsonby's opinions: "What was it come to, that in the Irish House of Commons they should listen to one of their own members degrading the character of an Irish gentleman by language which was fitted but for hallooing a mob? Had he heard a man uttering out of those doors such language as that by which the honourable gentleman had violated the decorum of parliament, he would have seized the ruffian by the throat, and dragged him to the dust! What were the house made of who could listen in patience to such abominable sentiments?—sentiments which, thank God, were acknowledged by no class of men in this country, except the execrable and infamous nest of traitors, who were known by the name of United Irishmen, who sat brooding in Belfast over their discontents and treasons, and from whose publications he could trace, word for word, every expression the honourable gentleman had used."—*Irish Parl. Deb. Feb.* 1797.

the excesses to which it would lead might reconcile the nation to a legislative union: and, however vulgar and improbable the latter supposition may appear, it is still perhaps the only one that can satisfactorily explain the apparent inconsistencies and infatuation of their councils.

The enemy of Great Britain had already made an abortive effort * to transport an

* In December 1796 the French fleet was dispersed by a storm. A part of it anchored in Bantry Bay, where it remained for some days; but the vessel, on board of which General Hoche (the commander of the expedition) was, not arriving, the French admiral, without attempting a landing, returned to France.

It is well known that grievous complaints were made in the English parliament against the ministry, for having left the coasts of Ireland so unprotected on this occasion. In explanation of this apparent negligence, Theobald Wolfe Tone, who had been confidentially employed in the preparations for the French expedition, (he was himself on board one of the vessels that anchored in Bantry Bay,) related the following circumstance, as having come within his personal knowledge. While this formidable armament, which had so long fixed the attention of Europe, was fitting out at Brest, various conjectures prevailed as to its probable destination. The general opinion was that the invasion of

armament to Ireland, the landing of which was to have been the signal for the intended

either Ireland or Portugal was intended. There was at this time (according to Mr. Tone's account) a secret agent of the British minister at Brest, who, having discovered that a particular printer of that town had General Hoche's proclamations in his press, privately offered him a large sum for a single copy. With this offer the printer made General Hoche acquainted, who immediately drew up a proclamation, as addressed to the Portuguese by the commander of the French invading army. A few copies of this were accordingly, by the General's desire, struck off, and handed by the printer to the agent. The latter forwarded them to Mr. Pitt, whom the receipt of such a document is said to have so completely deceived, that he directed the British squadrons to make Portugal the peculiar object of their vigilance, and, in the first instance, treated the report of an actual descent upon Ireland with derision.

Although the appearance of the French fleet in Bantry Bay produced no movements of disaffection in the vicinity, it was yet at this period, or very shortly after, that the organisation of the United Irishmen was most complete, and their prospect of success most promising. In 1797 they felt assured, that, in the event of a general insurrection, the greater number of the Irish militia regiments would have revolted. It is confidently asserted, that, an attack upon Dublin having been proposed in that year, every soldier who mounted guard in that city

rising; but the leaders of the Irish union, still depending upon the promised renewal of the attempt, had been anxious to restrain the impatience of the people until the foreign succours should arrive. Disappointed, however, in their expectations from abroad, and apprehending from any further delay, either the uncontrollable impetuosity or the desertion of their followers, they resolved, in the early part of this year, against their better judgment, to bring the matter to a final issue. The 23d of May

on the night of the intended attempt was in their interests.

The following occurrence, however ludicrous, is a striking proof of the prevailing sentiment among the native forces. At this time persons of democratic principles, in imitation of the French revolutionists, wore their hair short behind; from which custom croppies and rebels became synonymous terms. A commander of yeomanry in Dublin, while reviewing his corps, observed a false tail lying upon the parade. He held it up, and asked who had dropped it. By an instantaneous movement, every man of the corps raised his hand to the back of his head. This corps is said to have been in consequence disbanded on the following day.

was fixed as the day for a general insurrection.

Of this intention the government having received information in the course of the preceding March, arrested several of the principal leaders in the capital; and, announcing by proclamation the existence of the conspiracy, authorised the military powers to employ the most summary methods of suppressing it.

This formal declaration of the impending crisis was followed by the most extreme agitation of the public mind. Every ear was catching, every tongue was faltering some tremendous confirmation that the hour was at hand. As it approached, the fearful tokens became too manifest to be mistaken. In the interior, the peasantry were already in motion. Night after night large masses of them were known to be proceeding by unfrequented paths to some central points. Over whole tracts of country the cabins were deserted, or contained only women and children, from whom the inquirers could extort no tidings

of the owners. In the towns, to which, in the intervals of labour, the lower classes delighted to flock, a frightful diminution of numbers was observed; while the few that appeared there betrayed, by the moody exultation of their looks, that they were not ignorant of the cause. Throughout the capital, against which the first fury of the insurgents was to be directed, and where, from its extent, there could never be a certainty that the attack had not already begun, the consternation was universal. The spectacle of awful preparation, that promised security, gave no tranquillity. In the panic of the moment the measures for security became so many images of danger. The military array and bustle in some streets—the silence and desertion of others—the names of the inhabitants registered on every door—the suspension of public amusements, and almost of private intercourse—the daily proclamations—prayers put up in the churches for the general safety—families flying to England—partings that might

be eternal—every thing oppressed the imagination with the conviction, that a great public convulsion was at hand. The parliament * and the courts of justice, with a laudable attachment to the forms of the constitution, continued their sittings; but the strange aspect, of senators and advocates transacting civil business in the garb of soldiers, reminded the spectator that the final dependence of the state was upon a power beyond the laws. In Dublin the domestics of the principal citizens had disappeared, and gone off to join the insurgents; while those, who could not be seduced to accompany them, became the more suspected, from this proof of their fidelity: they could have remained, it was apprehended, for the sole purpose of being

* On the 22d of May (the day before the insurrection) the House of Commons voted an address to the viceroy, expressing their fidelity and their reliance upon the vigilance and vigour of his government. In order to render the proceeding more imposing, all the members of that house, with the speaker at their head, walked through the streets, two and two, and presented the address to his excellency.

spies upon their masters, and co-operators in their intended destruction; and thus, to the real dangers of a general design against the government, were added all the imaginary horrors of a project of individual vengeance. The vigorous precautions of the administration, instead of inspiring confidence, kept alive the public terror and suspense. In every quarter of the kingdom the populace were sent in droves to the prisons, till the prisons could contain no more. The vessels in the several bays adjoining the scenes of disturbance were next converted into gaols. The law was put aside: a non-commissioned officer became the arbiter of life and death. The military were dispersed through every house: military visits were paid to every house in search of arms, or other evidence of treason. The dead were intercepted on their passage to the grave, and their coffins examined, lest they might contain rebellious weapons. Many of the conspirators were informally executed. Many persons who were innocent were arrested and

abused. Many, who might have been innocent, were suspected, and summarily put to death.

Upon the appointed day the explosion took place. The shock was dreadful. The imagination recoils from a detail of the scenes that followed. Every excess that could have been apprehended from a soldiery, whom General Abercrombie, in the language of manly reproof, had declared to be in a state of licentiousness that rendered it formidable to all but the enemy; every act of furious retaliation to be expected from a peasantry inflamed by revenge and despair, and, in consequence of the loss of their leaders, surrendered to the auspices of their own impetuous passions, distinguished and disgraced this fatal conflict*. After a short and sanguinary strug-

* The high state of passion and resentment which prevailed at this unfortunate period may be collected from the single fact, that in the House of Commons a member suggested that military executions should have a retrospective operation, and that the state prisoners, who had been for several weeks in the hands of the government,

gle, the insurgents were crushed. The numbers of them who perished in the field, or on the scaffold, or were exiled, are said to have amounted to 50,000;—the losses upon the side of the crown have been computed at 20,000 lives;—a solemn and memorable fact:—70,000 subjects sacrificed in a single year, whose energies, had other maxims of government prevailed, might have been devoted to what it is equally the interest of subjects and governments to promote—the cause of rational freedom, the possession of which can alone inspire a manly and enlightened attachment to the laws and the state.

should be summarily disposed of; but the secretary, (Lord Castlereagh,) with becoming dignity and humanity, vehemently discountenanced so shocking a proposal.

CHAPTER II.

Trial of Henry and John Sheares.

As soon as the public safety was secured (it was long before tranquillity was restored), by the defeat of the insurgents, a general amnesty was granted to all, except the actual leaders of the conspiracy, who should surrender their arms, and take the oath of allegiance to the king. Several of the leaders were in the hands of the government, and it was now decided that the most conspicuous of them should be brought to immediate trial, in order that their fates should give a final blow to any still remaining hopes of their adherents.

The first of the persons thus selected were two young gentlemen—brothers, and members of the Irish bar, Henry and John Sheares. Their previous history contains nothing peculiar. They were both of respectable and amiable characters. The

elder of them "had given many hostages to fortune;" but, with the ardour incidental to their years, and to the times, they had been induced to look beyond those sources of private happiness which they appear to have abundantly enjoyed, and to engage in the political speculations that were now to be expiated with their lives. When the original members of the Irish executive were committed to prison, in the month of March, the Sheareses were among those who were chosen to supply their place, and they took a very active part in arranging the plan of the approaching insurrection. Of all these proceedings the government obtained accurate information through a Captain Armstrong, an officer of the Irish militia, who had succeeded in insinuating himself into their confidence, for the purposes of discovery. They were accordingly arrested two days previous to the explosion, and were now summoned to abide their trial for high treason.

Mr. Curran's defence of these unfortu-

nate brothers was suppressed at the period, and is generally supposed to have altogether perished. A report of the trial has, however, been preserved, from which an account of the share that he bore in it shall now be given.

The prisoners were brought to the bar, and arraigned, on the 4th of July, 1798. In this stage of the proceedings, a very interesting and important discussion took place. Their counsel having discovered that one of the grand jury, who had found the bill of indictment, was a naturalized Frenchman, pleaded that fact against its legality. The following are parts of Mr. Curran's argument upon the occasion*:

"My lords; the law of this country has declared, that in order to the conviction

* Different statutes of Charles II. Geo. I. and Geo. III. enact, that naturalized aliens, performing certain specified conditions, "shall be deemed liege, free, and natural subjects, to all intents and purposes;" with a proviso, "that they shall not be enabled to serve in parliament, nor to be of his majesty's privy council, nor to *hold any office of trust*, civil or military, in the kingdom."

of any man, not only of any charge of the higher species of criminal offences, but of any criminal charge whatsoever, he must be convicted upon the finding of two juries; first, of the grand jury, who determine upon the guilt in one point of view; and, secondly, by the corroborative finding of the petty jury, who establish that guilt in a more direct manner; and it is the law of this country, that the jurors, who shall so find, whether upon the grand or upon the petty inquest, shall be "*probi et legales homines omni exceptione majores.*" They must be open to no legal objection of personal incompetence; they must be capable of having freehold property; and, in order to have freehold property, they must not be open to the objection of being born under the jurisdiction of a foreign prince, or owing allegiance to any foreign power. Because the law of this country, and indeed the law of every country in Europe, has thought it an indispensable precaution, to trust no man with the weight or influence which territorial possession may

give him contrary to that allegiance which ought to flow from such possession of property in the country. This observation is emphatically forcible in every branch of the criminal law; but in the law of treason, it has a degree of force and cogency that fails in every inferior class of offence; because the very point to be inquired into in treason is the nature of allegiance. The general nature of allegiance may be pretty clear to every man. Every man, however unlearned he may be, can easily acquire such a notion of allegiance, whether natural and born with him, or whether it be temporary and contracted by emigration into another country; he may acquire a vague, untechnical idea of allegiance, for his immediate personal conduct. But I am warranted in saying, that the constitution does not suppose that any foreigner has any direct idea of allegiance but what he owes to his original prince. The constitution supposes, and takes for granted, that no foreigner has such an idea of our peculiar and precise allegiance, as qualifies him

to act as a juror, where that is the question to be inquired into; and I found myself upon this known principle, that though the benignity of the English law has, in many cases, where strangers are tried, given a jury, half composed of foreigners and half natives, that benefit is denied to any man accused of treason, for the reason I have stated; because, says Sir W. Blackstone, 'aliens are very improper judges of the breach of allegiance*.' A foreigner is a most improper judge of what the allegiance is which binds an English subject to his constitution. And, therefore, upon that idea of utter incompetency in a stranger, is every foreigner directly removed and repelled from exercising a function that he is supposed utterly unable to discharge. If one Frenchman shall be suffered to find a bill of indictment between our lord the king and his subjects, by a parity of reasoning may twenty-three men of the same descent be put into the box, with au-

* 4 Bl. Com. 352.

thority to find a bill of indictment. By the same reason, that the court may communicate with one man, whose language they do not know, may they communicate with twenty-three natives of twenty-three different countries and languages. How far do I mean to carry this? Thus far: that every statute, or means by which allegiance may be shaken off, and any kind of benefit or privilege conferred upon an emigrating foreigner, is for ever to be considered by a court of justice with relation to that natural incompetency to perform certain trusts, which is taken for granted and established by the law of England.

"Therefore, my lord, my clients have pleaded, that the bill of indictment to which they have been called upon to answer has been found, among others, by a foreigner, born under a foreign allegiance, and incapable of exercising the right of a juror, upon the grand or the petty inquest. The stat. of Charles II. recites, that the kingdom was wasted by the unfortunate troubles of that time, and that trade had

decreased for want of merchants. After thus stating generally the grievances which had afflicted the trade and population of the country, and the necessity of encouraging emigration from abroad, it goes on, and says, that strangers may be induced to transport themselves and families to replenish the country, if they may be made partakers of the advantages and free exercise of their trades without interruption and disturbance. The grievance was the scarcity of men; the remedy was the encouragement of foreigners to transport themselves, and the encouragement given was such a degree of protection as was necessary to the full exercise of their trades in the dealing, buying and selling, and enjoying the full extent of personal security. Therefore it enacts, that all foreigners of the protestant religion, and all merchants, &c. who shall, within the term of seven years, transport themselves to this country, shall be deemed and reputed natural-born subjects, and 'may implead and be impleaded,' and 'prosecute and defend

suits.' The intention was to give them protection for the purposes for which they were encouraged to come here; and therefore the statute, instead of saying, generally, 'they shall be subjects to all intents and purposes,' specifically enumerates the privileges they shall enjoy. If the legislature intended to make them 'subjects to all intents and purposes,' it had nothing more to do than say so*. But not having meant any such thing, the statute is confined to the enumeration of the mere hospitable rights and privileges to be granted to such foreigners as come here for special purposes. It states, 'that he may implead, and he shall be answered unto;' that 'he may prosecute and defend suits.' Why go on and tell a man, who is to all intents and purposes a natural-born subject, that he may implead and bring actions? I say, it is to all in-

* The statute does say this generally, in the first instance; but the subsequent enumeration of particular privileges supports the view that Mr. Curran took of it.

tents and purposes absurd and preposterous. If all privileges be granted in the first instance, why mention particular parts afterwards? A man would be esteemed absurd, who by his grant gave a thing under a general description, and afterwards granted the particular parts. What would be thought of a man, who gave another his horse, and then said to the grantee, 'I also give you liberty to ride him when and where you please?' What was the case here? The government of Ireland said, 'we want men of skill and industry; we invite you to come over; our intention is, that if you be protestants, you shall be protected; but you are not to be judges, or legislators, or kings; we make an act of parliament, giving you protection and encouragement to follow the trades, for your knowledge in which we invite you.' You are to exercise your trade as a natural-born subject.' How? 'With full power to make a bargain, and enforce it. We invest you with the same power, and you shall have the same benefit, as if you were

appealing to your own natural forum of public justice. You shall be here as a Frenchman in Paris, buying and selling the commodities appertaining to your trade.'

"Look at another clause in the act of parliament, which is said to make a legislator of this man, or a juror, to pass upon the life or death of a fellow-subject—no, not a fellow-subject, but a stranger. It says, 'you may purchase an estate, and you may enjoy it, without being a trustee for the crown.' Why was that necessary, if he were a subject to all intents and purposes? But, my lords, a great question remains behind to be decided upon. I know of no case upon it. I do not pretend to say that the industry of other men may not have discovered a case. But I would not be surprised if no such case could be found—if, since the history of the administration of justice, in all its forms, in England, a stranger had not been found intruding himself into its concerns—if, through the entire history of our

courts of justice, an instance was not to be found of the folly of a stranger interfering upon so awful a subject as the breach of allegiance between a subject and his king. My lords, I beg leave upon this part to say, that it would be a most formidable thing, that a court of justice would pronounce a determination big with danger, if they should say that an alien may find a bill of indictment involving the doctrine of allegiance. It is permitting him to intermeddle in a business of which he cannot be supposed to have any knowledge. Shall a subject of the Irish crown be charged with a breach of his allegiance upon the saying of a German, an Italian, a Frenchman, or a Spaniard? Can any man suppose any thing more monstrous or absurd, than that of a stranger being competent to form an opinion upon the subject? I would not form a supposition upon it. At a time, when the generals, the admirals, and the captains of France, are endeavouring to pour their armies upon us, shall we permit their petty de-

tachments to attack us in judicial hostility? Shall we sit inactive, and see their skirmishes take off our fellow-subjects by explosions in a jury-room?'

" When did this man come into this country? Is the raft upon which he floated now in court? What has he said upon the back of the bill? What understanding had he of it? If he can write more than his own name, and had written 'ignoramus' upon the back of the indictment, he might have written truly; he might say he knew nothing of the matter. He says he is naturalized. 'I am glad of it; you are welcome to Ireland, sir; you shall have all the privileges of a stranger, independent of the invitation by which you came. If you sell, you shall recover the price of your wares; you shall enforce the contract. If you purchase an estate, you shall transmit it to your children, if you have any; if not, your devisee shall have it. But you must know, that in this constitution there are laws binding upon the court as strongly as upon you. The statute it-

self, which confers the privileges you enjoy, makes you incapable of discharging offices. Why? Because they go to the fundamentals of the constitution, and belong only to those men who have an interest in that constitution transmitted to them from their ancestors.' Therefore, my lords, the foreigner must be content; he shall be kept apart from the judicial functions;—in the extensive words of the act of parliament, he shall be kept from 'all places of trust whatsoever.' If the act had been silent in that part, the court would, notwithstanding, be bound to say, that it did not confer the power of filling the high departments of the state. The alien would still be incapable of sitting in either houses of parliament—he would be incapable of advising with the king, or holding any place of constitutional trust whatever. What? shall it be said there is no trust in the office of a grand juror? I do not speak or think lightly of the sacred office confided to your lordships, of administering justice between the crown

and subject, or between subject and subject;—I do not compare the office of grand juror to that;—but, in the name of God, with regard to the issues of life and death—with regard to the consequences of imputed or established criminality—what difference is there in the constitutional importance between the juror who brings in a verdict, and the judge who pronounces upon that verdict the sentence of the law? Shall it be said that the former is no place of trust? What is the place of trust meant by the statute? It is not merely giving a thing to another, or depositing it for safe custody;—it means *constitutional* trust, the trust of executing given departments, in which the highest confidence must be reposed in the man appointed to perform them. It means not the trust of keeping a paltry chattel;—it means the awful trust of keeping the secrets of the state and of the king. Look at the weight of the obligation imposed upon the juror—look at the enormous extent of the danger, if he violate or disre-

'gard it. At a time like the present, a time of war—what, is the trust to be confided to the conscience of a Frenchman? But I am speaking for the lives of my clients; and I do not choose even here to state the terms of the trust, lest I might furnish as many hints of mischief as I am anxious to furnish arguments of defence. But shall a Frenchman at this moment be entrusted with those secrets upon which your sitting upon the bench may eventually depend? What is the inquiry to be made? Having been a pedlar in the country, is he to have the selling of the country, if he be inclined to do so? Is he to have confided to him the secrets of the state? He *may* remember to have had a *first* allegiance, and that he was *sworn* to it. He might find civilians to aid his perfidious logic, and to tell him, that a secret, communicated to him by the humanity of the country which received him, might be disclosed to the older and better matured allegiance sworn to a former power! He might give up the perfidious use of his

conscience to the integrity of the older title. Shall the power of calling upon an *Irishman* to take his trial before an *Irish* judge, before the country, be left to the broken speech, the *lingua franca* of a stranger, coming among you, and saying, 'I was naturalized by act of parliament, and I cannot carry on my trade without dealing in the blood of your citizens?' He holds up your statute as his protection, and flings it against your liberty, claiming the right of exercising a judicial function, and feeling, at the same time, the honest love for an older title to allegiance. It is a love which every man ought to feel, and which every subject of this country would feel, if he left his country to-morrow, and were to spend his last hour among the Hottentots of Africa. I do trust in God there is not a man that hears me, who does not feel that he would carry with him, to the remotest part of the globe, the old ties which bound him to his original friends, his country, and his king. I do, as the advocate of my clients, of my coun-

try—as the advocate for you, my lords, whose elevation prevents you from the possibility of being advocates for yourselves—for your children I do stand up; and rely upon it, that this act of parliament has been confined to a limited operation—it was enacted for a limited purpose, and will not allow this meddling stranger to pass upon the life, fame, or fortune, of the gentlemen at the bar—of me, their advocate—of you, their judges—or of any man in the nation. It is an intrusion not to be borne."

Mr. Plunket followed Mr. Curran on the same side; but, after a long discussion, it was ruled by the court, that the office of grand juror was not one of the *offices of trust* alluded to by the legislature, and, consequently, that the person objected to was competent to fill it. The prisoners were, therefore, in the language of the law, "awarded to answer over." Their trial was, upon their own application, in consequence of the absence of witnesses, postponed till the 12th of July, when it

came on for final decision before Lord Carleton, Mr. Justice Crookshank, and Mr. Baron Smith.

Mr. Curran's speech upon this occasion *, which was considered as the most moving that he had ever pronounced, was rendered peculiarly affecting, by the circumstances that accompanied its delivery. Notwithstanding the length of many of the state trials of this period, the courts seldom adjourned till the proceedings were concluded, so that their sittings were not only protracted to a late hour of the night, but it was not unusual for the returning morn-

* This speech, in its reported state, is by no means the most favourable specimen of Mr. Curran's eloquence. Several passages in it are broken and unconnected, which may be attributed either to the incorrectness of the reporter, or to the extreme exhaustion of the speaker. If the defect arose from the latter cause, the solemnity of his delivery atoned for it with his auditors; for nothing could exceed the effect which it produced upon them. The suppression of this defence has been so often the subject of public regret, that the whole of it, as it has been preserved, is given here.

ing to find them still occupied with their melancholy labours.

It was midnight when Mr. Curran rose to address the jury; and the feelings with which he entered on the task cannot be perfectly conceived, without adverting to the persons who were grouped around him. At the bar stood his clients, connected with each other by blood, with their advocate, and many more of the surrounding audience, by profession, and with the presiding judge by the ties of hereditary friendship*. Upon the bench he saw in Lord Carleton one of his own oldest and most valued friends, with whom he was now to intercede, if intercession could avail, for those who had so many tender claims to his merciful consideration; while upon the jury appeared several whom Mr. Curran

* Lord Carleton had been the intimate friend of the parents of the prisoners—(see the conclusion of the trial);—a report even prevailed that he had been the guardian of the latter; but this, it is presumed, was incorrect.

(and probably his clients) had long known as acquaintances and companions, and with more than one of whom he had lived, and was still living, upon terms of the most confidential intimacy. When to this collection of private relations, so unusual upon such an occasion, are added the other attending public circumstances, it is not surprising that the surviving spectators of this memorable scene should speak of it as marked by indescribable solemnity. The fate that impended over the unfortunate brothers—the perturbed state of Ireland—the religious influence of the hour—the throng of visages in the galleries, some of them disfigured by poverty, others betraying, by their impassioned expression, a consciousness of participation in the offence for which the accused were about to suffer, and all of them rendered haggard and spectral by the dim lights that discovered them,—the very presence of those midnight lights so associated in Irish minds with images of death,—every thing combined to inspire the beholders,

who were now enfeebled by exhaustion, with a superstitious awe, and to make the objects, amidst which the advocate rose to perform the last offices to his sinking clients *, appear not so much a reality, as the picture of a strained and disturbed imagination.

Mr. Curran †.—"My lord, before I ad-

* Mr. Curran was nominally counsel for only one of the prisoners: he had originally been the assigned counsel for both; but before the trial commenced, at the request of John Sheares, Mr. Ponsonby was assigned one of his counsel in the room of Mr. Curran, in order to give the prisoners four counsel between them. The other two were Mr. Plunket and Mr. M'Nally. But as the charge and evidence against both the prisoners were the same, the counsel for one was virtually defending the other.

† That the reader may more fully comprehend the topics of Mr. Curran's speech for the prisoners, the following summary of the leading articles of the evidence is inserted. The principal witness for the crown, John Warnford Armstrong, of the King's County militia, proved the overt-acts of high treason laid in the indictment. He swore that he was introduced by Mr. Byrne, a bookseller of Dublin, to the prisoners, who, supposing him (Armstrong) to be an United Irishman, freely communicated to him their treasonable designs. He had subse-

dress you or the jury, I would wish to make one preliminary observation. It

quent interviews with them at their own homes, the subjects of which he regularly reported to Colonel L'Estrange and Captain Clibborn of his own regiment, to Mr. Cooke of the Castle, and to Lord Castlereagh. Doubts having been entertained of the witness's belief in the existence of a Deity, and a future state of rewards and punishments, Mr. Curran, who cross-examined him, pressed him upon those points. Captain Armstrong swore that he had always professed that belief, and that he had never derided the obligation of an oath.

He also swore that he had never said, "that, if no other person could be found to cut off the head of the king of England, that he (the witness) would do it;" and that he had never declared "that the works of Paine contained his creed."

To these latter articles of Armstrong's evidence was opposed that of T. Drought, Esq., who swore that Armstrong, with whom he was very intimate, had frequently uttered atheistical opinions; and, with his usual calmness of manner, had spoken of the future state of the soul of man as an *eternal sleep—annihilation—non-existence.*

R. Bride, Esq. barrister at law, swore that he had heard Armstrong speak slightingly of the obligation of an oath.

C. R. Shervington, Esq. (Lieutenant, 41st regiment, and uncle to Armstrong) swore that Armstrong had said, in his presence, that if there was not another executioner

may be an observation only—it may be a request. For myself I am indifferent; but I feel I am now unequal to the duty—I am sinking under the weight of it. We all know the character of the jury: the interval of their separation must be short, if it should be deemed necessary to separate them. I protest I have sunk under this trial. If I must go on, the Court must bear with me;—the jury may also bear with me;—I will go on until I sink;—but, after a sitting of sixteen hours, with only twenty minutes interval, in these times, I should hope it would not be thought an obtrusive request, to hope for a few hours interval for repose, or rather for recollection."

Lord Carleton.—"What say you, Mr. Attorney-General?"

Mr. Attorney-General Toler.—"My lords, I feel such public inconvenience from ad-

in the kingdom for George the Third, he would be one, and pique himself upon it; and that, upon another occasion, Armstrong handed him Paine's Rights of Man, saying, Read this, it is my creed.

journing cases of this kind, that I cannot consent. The counsel for the prisoners cannot be more exhausted than those for the prosecution. If they do not choose to speak to the evidence, we shall give up our right to speak, and leave the matter to the Court altogether. They have had two speeches already; and leaving them unreplied to is a great concession."

Lord Carleton.—"We would be glad to accommodate as much as possible. I am as much exhausted as any other person; but we think it better to go on."

Mr. Curran.—"Gentlemen of the jury: it seems that much has been conceded to us. God help us! I do not know what has been conceded to me—if so insignificant a person may have extorted the remark. Perhaps it is a concession that I am allowed to rise in such a state of mind and body, of collapse and deprivation, as to feel but a little spark of indignation raised by the remark, that much has been conceded to the counsel for the prisoners; much has been conceded

to the prisoners! Almighty and merciful God, who lookest down upon us, what are the times to which we are reserved, when we are told that much has been conceded to prisoners who are put upon their trial at a moment like this—of more darkness and night of the human intellect than a darkness of the natural period of twenty-four hours—that public convenience cannot spare a respite of a few hours to those who are accused for their lives; and that much has been conceded to the advocate, almost exhausted, in the poor remark which he has endeavoured to make upon it!

"My countrymen, I do pray you, by the awful duty which you owe your country—by that sacred duty which you owe your character—(and I know how you feel it)—I do obtest you, by the Almighty God, to have mercy upon my client—to save him, not from the consequences of his guilt, but from the baseness of his accusers, and the pressure of the treatment under which I am sinking. With what spirit did you leave your habitations this day? In

what state of mind and heart did you come here from your family? With what sentiments did you leave your children, to do an act of great public importance—to pledge yourselves at the throne of Eternal Justice, by the awful and solemn obligation of an oath, to do perfect, cool, impartial, and steady justice, between the accuser and the accused? Have you come abroad under the idea, that public fury is clamorous for blood—that you are put there under the mere formality or ceremonial of death, and ought to gratify that fury with the blood for which it seems to thirst? If you are—I have known some of you*—more than one, or two, or three—in some of those situations, where the human heart speaks its honest sentiments. I think I

* One of the persons on the jury, to whom this observation was particularly directed, was Sir John Ferns, with whom Mr. Curran had been long connected by habits of private friendship, and in whose society he had passed many of his happiest hours of convivial relaxation.

The following little impromptu shows, in a striking point of contrast, the different styles in which different

ought to know you well—you ought to know me; and there are some of you who ought to listen to what so obscure an individual may say, not altogether without some degree of personal confidence and respect. I will not solicit your attention, by paying the greatest compliment which man can pay to man;—but I say I hold you in regard as being worthy of it;—I will speak such language as I would not stoop to hold if I did not think you worthy of it. Gentlemen, I will not be afraid of

occasions induced the writer to address the same individual.

TO SIR JOHN FERNS,

WITH A BOTTLE OF CHAMPAIGNE.

This bottle I've raised from the dust,
Where for many a year it had lain,
In hope that one day with the just
It might rise and might sparkle again.

And now, my dear Sir John, I send
This type of good tidings to come,
That the grave-digger's empire must end,
And his pris'ners get loose from the tomb.

J. P. C.

beginning with what some may think I should avoid—the disastrous picture which you must have met upon your way to this court. A more artful advocate might endeavour to play with you, in supposing you to possess a degree of pity and of feeling beyond that of any other human being. But I, gentlemen, am not afraid of beginning by warning you against those prejudices which all must possess—by speaking strongly against them—by striking upon the string—if not strong enough to snap it, I will wake it into vibration. Unless you make an exertion beyond the power almost of men to make, you are not fit to try this cause. You may preside at such an execution as the witness would extol himself for *—at the sentence flowing from

* Captain Armstrong, the witness in this case, having been questioned by Mr. Curran regarding the death of two countrymen, replied, "We were going up Blackmore Hill, under Sir James Duff: there was a party of rebels there. We met three men with green cockades: one we shot—another we hanged—and the third we flogged and made a guide of." Thomas Drought, Esq. (one of the witnesses for the prisoners) gave in evidence a conversa-

a very short inquiry into reason. But you are not fit to discharge the awful trust of honest men coming into the box, indifferent as they stood unsworn, to pronounce a verdict of death and infamy, or of existence and of honour. You have only the interval between this and pronouncing your verdict to reflect; and the other interval, when you are resigning up your last breath, between your verdict and your grave, when you may lament that you did not as you ought.

"Do you think I want to flatter your passions? I would scorn myself for it. I want to address your reason—to call upon your consciences—to remind you of your oaths,

tion which he had held with Armstrong respecting this transaction. "I asked him (said Mr. Drought) how he could possibly reconcile it to himself to deprive those wretches of life, without even the form of a trial. He acknowledged that they did so. I asked him whether he expected any punishment for it; and though he did not expect it from government, yet that there was an all-powerful Being who would punish him. He said, 'you know my opinion long ago upon this subject.'" This was the execution to which Mr. Curran above alluded.

and the consequence of that verdict, which, upon the law and the fact, you must give between the accuser and the accused. Part of what I shall say must of necessity be addressed to the Court, for it is matter of law. But upon this subject, every observation in point of law is so inseparably blended with the fact, that I cannot pretend to say that I can discharge your attention, gentlemen, even when I address the Court. On the contrary, I shall the more desire your attention, not so much that you may understand what I shall say, as what the Court shall say.

"Gentlemen, this indictment is founded upon the statute 25 Ed. 3. The statute itself begins with a melancholy observation upon the proneness to deterioration, which has been found in all countries, unfortunately, to take place in their criminal law, particularly in the law respecting high treason. The statute begins with reciting, that, in the uncertainty of adjudications, it became difficult to know what was treason, and what was not: and, to remove

further difficulty; it professes to declare all species of treason that should thereafter be so considered; and, by thus regulating the law, to secure the state and the constitution, and the persons of those interested in the executive departments of the government, from the common acts of violence that might be used to their destruction. The three first clauses of the statute seem to have gone a great way indeed upon the subject; because the object of the provisions was to protect the person—and I beg of you to understand what I mean by person—I mean the *natural person;* I mean no figure of speech—not the monarch in the abstract, but the natural man;—the first clause was made without the smallest relation to the executive power, but solely to the natural body and person. The words are, "When a man doth compass or imagine the death of the king, or of our lady his queen, or their eldest son and heir, and thereof be of sufficient proof attainted of open deed by men of his condition, he shall be a traitor." This, I say,

relates only to the natural person of the king. The son and heir of the king is mentioned in the same manner; but he has no power, and therefore a compassing his death must mean the death of his natural person; and so must it be in the case of the king. To conceive the purpose of destroying a common subject was once a felony of death; and that was expressed in the same language, compassing and imagining the death of the subject. It was thought right to dismiss that severe rigour of the law in the case of the subject; but it was thought right to continue it in the case of the king, in contradistinction to all the subjects within the realm.

"The statute, after describing the persons, describes what shall be evidence of that high and abominable guilt: it must appear by open deed—the intention of the guilty heart must be proved by evidence of the open deed committed towards the accomplishment of the design. Perhaps in the hurry of speaking—perhaps from the mistakes of reporters; sometimes from

one, and sometimes from the other, judges are too often made to say that such or such an overt act is, if proved to have been committed, ground upon which the jury must find the party guilty of the accusation. I must deny the position, not only in the reason of the thing, but I am fortified by the ablest writers upon the law of treason. In the reason of the thing; because the design entertained, and act done, are matters for the jury. Whether a party compassed the king's death or not, is matter for the jury; and, therefore, if a certain fact be proved, it is nonsense to say that such a *conclusion* must follow; because a conclusion of law would then be pronounced by the jury, not by the court. I am warranted in this by the writers cited by Mr. Justice Foster; and therefore, gentlemen, upon the first count in the indictment you are to decide a plain *matter of fact*: 1st, Whether the prisoner did compass and imagine the death of the king? or whether there be any act proved, or apparent means taken, which he resorted to for the perpetra-

tion of that crime? Upon this subject many observations have already been made before me. I will take the liberty of making one: I do not know whether it has been made before. Even in a case where the overt act stated has of its own nature gone to the person of the king, still it is left to the jury to decide, whether it was done with the criminal purpose alleged or not? In Russel's case there was an overt act of the conspiracy to seize the guards; natural consequence threatened from an act of gross violence so immediately approaching the king's person, might fairly be said to affect his life; but still it was left to the jury to decide whether that was done for the purpose of compassing the king's death. I mention this, because I think it a strong answer to those kinds of expressions, which in bad times fall from the mouths of prosecutors, neither law nor poetry, but sometimes half metaphysical. Laws may be enacted in the spirit of sound policy, and supported by superior reason;

but when only half considered, and their provisions half enumerated, they become the plague of government, and the grave of principle. It is that kind of refinement and cant which overwhelmed the law of treason, and brought it to a metaphysical death; the laws are made to pass through a contorted understanding, vibratory and confused; and therefore, after a small interval from the first enaction of any law in Great Britain, the dreams of fancy get around, and the law is lost in the mass of absurd comment. Hence it was, that the statute gave its awful declarations to those glossarists, so that if any case should arise, apparently within the statute, they were not to indulge themselves in conjecture, but refer to the standard, and abide by the law as marked out for them. Therefore, I say, that the issue for the jury here is to decide, in the words of the statute, whether the prisoners "did compass the death of the king," and whether they can say, upon their oaths, that there is any

overt act proved in evidence, manifesting an intention of injury to the natural person of the king.

"I know that the semblance of authority may be used to contradict me. If any man can reconcile himself to the miserable toil of poring over the records of guilt, he will find them marked, not in black, but in red, the blood of some unfortunate men, leaving the marks of folly, barbarity, and tyranny. But I am glad that men, who, in some situations, appear not to have had the pulse of honest compassion, have made sober reflections in the hour of political disgrace. Such has been the fate of Lord Coke; who, in the triumph and insolence of power, pursued a conduct, which, in the hour of calm retreat, he regretted in the language of sorrow and disappointment. He then held a language which I willingly repeat, 'that a conspiracy to levy war was no act of compassing the murder of the king.' There he spoke the language of law and good sense; for a man shall not be charged with one crime, and

convicted of another. It is a narrow and a cruel policy to make a conspiracy to levy war an act of compassing the king's death, because it is a separate and distinct offence; because it is calling upon the honest affections of the heart, and creating those pathetical effusions which confound all distinct principles of law, a grievance not to be borne in a state where the laws ought to be certain.

"This reasoning is founded upon the momentary supposition that the evidence is true—for you are to recollect the quarter from whence it comes:—there has been an attempt, by precipitate confession, to transfer guilt to innocence, in order to escape the punishment of the law. Here, gentlemen, there is evidence of levying war, which act, it is said, tends to the death of the king. That is a constructive treason, calculated as a trap for the loyalty of a jury, therefore you should set bounds to proceedings of that kind; for it is an abuse of the law to make one class of offence, sufficiently punished already,

evidence of another. Every court, and every jury, should set themselves against crimes, when they come to determine upon distinct and specified guilt; but they are not to encourage a confusion of crimes by disregarding the distinction of punishments, nor to show the effusion of their loyalty by an effusion of blood.

"I cannot but say, that when cases of this kind have been under judgment in Westminster Hall, there was some kind of natural reason to excuse this confusion in the reports—the propriety of making the person of the king secure: a war immediately adjoining the precincts of the palace—a riot in London—might endanger the life of the king. But can the same law prevail in every part of the British empire? It may be an overt act of compassing the king's death to levy war in Great Britain; but can it be so in Jamaica, in the Bahama Islands, or in Corsica, when it was annexed to the British empire? Suppose at that time a man had been indicted there for compassing the king's death, and the evi-

dence was that he intended to transfer the dominion of the island to the Genoese or the French; what would you say, if you were told that was an act by which he intended to murder the king? By seizing Corsica he was to murder the king! How can there be any immediate attempt upon the king's life by such a proceeding? It is not possible, and therefore no such consequence can be probably inferred; and therefore I call upon you to listen to the court with respect; but I also call upon you to listen to common sense, and to consider whether the conspiring to raise war in this country be an overt act of compassing the king's death in this country*. I will go further. If

* This point was strongly urged by Mr. Ponsonby, counsel for John Sheares, and by Mr. Curran's colleague, Mr. Plunket; but the Court decided that it was untenable. The Prime Serjeant observed upon it with more zeal than logical consistency:—"It was *for this day* reserved to broach the alarming and monstrous position. I trust in God that the authority of such opinions has not gone abroad; and that the rebellion, which has for some time ravaged the country, has not been matured by such a doctrine." Lord Carleton, instead of counte-

the statute of Edward III. had been conceived to make a conspiracy to levy war an overt act of compassing the king's death, it would be unnecessary to make it penal by any subsequent statute; and yet subsequent statutes were enacted for that purpose, which I consider an unanswerable argument, that it was not considered as coming within the purview of the clause against compassing the king's death. Now, gentlemen, you will be pleased to consider what was the evidence brought forward to support this indictment. I do not think it necessary to exhaust your attention by stating at large the evidence given by Captain Armstrong. He gave an account which we shall have occasion to examine with regard to its credibility. He stated his introduction, first, to Mr. Henry Sheares, afterwards to his brother; and he stated a conversation, which you do not forget, so strange has it been! But,

nancing so absurd an insinuation against the counsel, answered their arguments in the language of compliment and respect.

in the whole course of his evidence, so far from making any observation, or saying a word of connexion with the power at war with the king, he expressly said, that the insurrection, by whomsoever prepared, or by what infatuation encouraged, was to be a *home* exertion, independent of any foreign interference whatever. And, therefore, I am warranted in saying, that such an insurrection does not come within the first clause of the statute. It cannot come within the second, of adhering to the king's enemies, because that means his foreign enemies; and here, so far from any intercourse with them, they were totally disregarded.

"Adhering to the king's enemies means co-operating with them, sending them provisions, or intelligence, or supplying them with arms. But I venture to say, that there has not been any one case, deciding that any act can be an adherence to a foreign enemy, which was not calculated for the advantage of that enemy. In the case of Jackson, Hensey, and Lord Preston,

the parties had gone as far as they could in giving assistance. So it was in Quigley's. But, in addition to this, I must repeat, that it is utterly unnecessary that the law should be otherwise, for levying war is of itself a crime; therefore it is unnecessary, by a strained construction, to say, that levying war, or conspiring to levy war, should come within any other clause equally penal, but not so descriptive.

"But, gentlemen, suppose I am mistaken in both points of my argument—suppose the prisoners (if the evidence were true) did compass the king's death, and adhere to the king's enemies: what are you to found your verdict upon? Upon your oaths: what are they to be founded upon? Upon the oath of the witness: and what is that founded upon?—upon this, and this only—that he does believe there is an eternal God, an intelligent supreme existence, capable of inflicting eternal punishment for offences, or conferring eternal compensation upon man after he has passed the boundary of the grave. But where the

witness believes that he is possessed of a perishing soul, and that there is nothing upon which punishment or reward can be exerted, he proceeds, regardless of the number of his offences, and undisturbed by the terrors of exhausted fancy, which might save you from the fear that your verdict is founded upon perjury. Suppose he imagines that the body is actuated by some kind of animal machinery—I know not in what language to describe his notions—suppose his opinion of the beautiful system framed by the almighty hand to be, that it is all folly and blindness compared to the manner in which he considers himself to have been created—or his abominable heart conceives his ideas, or his tongue communicates his notions;—suppose him, I say, to think so—what is perjury to him? He needs no creed, if he thinks his miserable body can take eternal refuge in the grave, and the last puff of his nostrils can send his soul into annihilation! He laughs at the idea of eternal justice, and tells you, that the grave, into which

he sinks as a log, forms an intrenchment against the throne of God and the vengeance of exasperated justice!

"Do you not feel, my fellow-countrymen, a sort of anticipated consolation in reflecting upon the religion which gave us comfort in our early days, enabled us to sustain the stroke of affliction, and endeared us to one another; and, when we see our friends sinking into the earth, fills us with the expectation that we rise again—that we but sleep for a while to wake for ever. But what kind of communion can you hold—what interchange expect—what confidence place in that abject slave—that condemned, despaired of wretch, who acts under the idea that he is only the folly of a moment—that he cannot step beyond the threshold of the grave—that that, which is an object of terror to the best, and of hope to the confiding, is to him contempt or despair?

"Bear with me, my countrymen; I feel my heart running away with me—the worst men only can be cool. What is the law of this country? If the witness does not

believe in God, or a future state, you cannot swear him. What swear him upon? Is it upon the book or the leaf? You might as well swear him by a bramble or a coin. The ceremony of kissing is only the external symbol by which man seals himself to the precept, and says, 'May God so help me, as I swear the truth.' He is then attached to the Divinity upon the condition of telling truth; and he expects mercy from Heaven, as he performs his undertaking. But the infidel! By what can you catch his soul? or by what can you hold it? You repulse him from giving evidence; for he has no conscience—no hope to cheer him—no punishment to dread! What is the evidence touching that unfortunate young man? What said his own relation, Mr. Shervington? He had talked to him freely—had known him long. What kind of character did he give of him? Paine was his creed and his philosophy. He had drawn his maxims of politics from the vulgar and furious anarchy broached by Mr. Paine. His ideas of religion were

adopted from the vulgar maxims of the same man—the scandal of inquiry—the blasphemer of his God as of his king. He bears testimony against himself, that he submitted to the undertaking of reading both his abominable tracts—that abominable abomination of all abominations, Paine's Age of Reason;—who professes to teach mankind, by acknowledging that he did not learn himself! Why not swear the witness upon the vulgar maxims of that base fellow, that wretched outlaw and fugitive from his country and his God? Is it not lamentable to see a man labouring under an incurable disease, and fond of his own blotches? 'Do you wish,' says he, 'to know my sentiments with regard to politics; I have learned them from Paine! I do not love a king; and, if no other executioner could be found, I would myself plunge a dagger into the heart of George III. because he is a king. And because he is my king, I swear, by the sacred missal of Paine, I would think it a meritorious thing to plunge a dagger into his heart, or

whom I had devoted a soul which Mr. Paine says I have not to lend.' Is this the casual effusion of a giddy young man, not considering the meaning of what he said? If it were said among a parcel of boarding-school misses, where he might think he was giving specimens of his courage, by nobly denying religion, there might be some excuse. There is a latitude assumed upon some such occasions. A little blasphemy and a little obscenity passes for wit in some companies. But recollect it was not to a little miss, whom he wished to astonish, that he mentioned these sentiments, but to a kinsman, a man of that boiling loyalty—I confess I did not approve of his conduct in the abstract—talking of running a man through the body *; but I admired the honest boldness of the

* This alludes to a part of Mr. Shervington's testimony. "I met Captain Clibborn, and told him I was sorry to find that John Armstrong was finding the secrets of men in order to discover them. He told me it was a different thing—that the Sheareses wanted to seduce him from his allegiance. 'Damn him,' said I, 'he should have run them through the body.'"

soldier who expressed his indignation in such warm language. 'If Mr. Shervington swore truly, Captain Armstrong must be a forsworn witness—it comes to that simple point. 'You cannot put it upon other ground. I put it to your good sense—I am not playing with your understandings—I am putting foot to foot, and credit to credit. One or other of the two must be perjured—which of them is it? If you disbelieve Captain Armstrong, can you find a verdict of blood upon his evidence?

"Gentlemen, I go further. I know your horror of crimes—your warmth of loyalty. They are among the reasons why I respect and regard you. I ask you, then, will you reject such a witness? or would you dismiss the friend you regarded, or the child you loved, upon the evidence of such a witness? Suppose him to tell his own story. 'I went to your friend, or your child—I addressed myself in the garb of friendship, in the smile of confidence, in order to betray it. I traduced you—spoke all the

evil I could against you, to inflame him. I told him your father does not love you.' If he went to you, and told you this—that he inflamed your child, and abused you to your friend, and said, 'I come now to increase it, by the horror of superadded cruelty,' would you dismiss from your love or affection the child or the friend you loved for years? You would not prejudge them. You would examine the consistency of the man's story; you would listen to it with doubt, and receive it with hesitation.

"Says Captain Armstrong, 'Byrne was my bookseller; from him I bought my little study of blasphemy and obscenity, with which I amused myself.'—'Shall I introduce Mr. Sheares to you?'—not saying which. What was done then? He thought it was not right till he saw Captain Clibborn. Has he stated any reason why he supposed Mr. Sheares had any wish at all to be introduced to him? any reason for supposing that Byrne's principles were of that kind? or any reason why

he imagined the intercourse was to lead to any thing improper? It is most material that he says he never spoke to Byrne upon political subjects: therefore he knew nothing of Byrne's principles, nor Byrne of his. But the proposal was made; and he was so alarmed, that he would not give an answer until he saw his captain. Is not this incredible? There is one circumstance which made an impression upon my mind, that he assumed the part of a public informer; and, in the first instance, came to the field with pledgets and bandages. He was scarcely off the table when a witness came to his credit. It is the first time that I saw a witness taking fright at his own credit, and sending up a person to justify his own character.

"Consider how he has fortified it. He told it all to Captain Clibborn! He saw him every evening, when he returned, like a bee, with his thighs loaded with evidence. What is the defence?—that the witness is unworthy of belief. My clients say their lives are not to be touched by such a man:

he is found to be an informer—he marks the victim. You know the world too well, not to know that every falsehood is reduced to a certain degree of malleability by an alloy of truth. Such stories as these are not pure and simple falsehoods. Look at your Oateses, your Bedloes, and Dugdales! I am disposed to believe, shocking as it is, that this witness had the heart, when he was surrounded by the little progeny of my client,—when he was sitting in the mansion in which he was hospitably entertained,—when he saw the old mother, supported by the piety of her son, and the children basking in the parental fondness of the father—that he saw the scene, and smiled at it—contemplated the havoc he was to make, consigning them to the storms of a miserable world, without having an anchorage in the kindness of a father*!

* The writer of this is assured, by a gentleman now in Dublin, and who is free from any political zeal which could induce him to invent or distort a fact, that, upon his dining one day at the house of Henry Sheares, immediately before his arrest, he observed Armstrong, who was one of

Can such horror exist, and not waken the rooted vengeance of an eternal God? But it cannot reach this man beyond the grave; therefore I uphold him here. I can imagine it, gentlemen;—because, when the mind becomes destitute of the principles of morality and religion, all within the miserable being is left a black and desolated waste, never cheered by the rays of tenderness and humanity—when the belief of eternal justice is gone from the soul of man, horror and execution may set up their abode—I can believe that the witness (with what view I cannot say—with what hope I cannot conjecture—you may) did meditate the consigning of these two men to death, their children to beggary and reproach,—abusing the hospitality with which he was received, that he might afterwards come here and crown his work, having first obtained the little spark of

the guests, taking his entertainer's little children upon his knee, and, as it was then thought, affectionately caressing them.

truth, by which his mass of falsehood was to be put into animation.

"I have talked of the inconsistency of the story. Do you believe it, gentlemen? The case of my client is, that the witness is perjured; and you are appealed to, in the name of that ever living God whom you revere, but whom he despiseth, to consider that there is something to save him from the baseness of such an accuser.

"But I go back to the testimony. I may wander from it; but it is my duty to stay with it.' Says he, 'Byrne makes an important application:—I was not accustomed to it:—I never spoke to him;—and yet he, with whom I had no connexion, introduces me to Sheares. This is a true brother.' You see, gentlemen, I state this truly:—he never talked to Byrne about politics:—how could Byrne know his principles?—by inspiration! He was to know the edition of the man as he knew the edition of books. 'You may repose all confidence.' I ask not is this true; but I say it

can be nothing else than false. I do not ask you to say it is doubtful—it is a case of blood—of life or death. And you are to add to the terrors of a painful death the desolation of a family, overwhelming the aged with sorrow, and the young with infamy! Gentlemen, I should disdain to trifle with you: I am pinning your minds down to one point, to show you to demonstration that nothing can save your minds from the evidence of such perjury—not because you may think it false, but because it is impossible it can be true. I put into the scales of justice that execrable perjury; and I put into the other the life, the fame, the fortune, the children of my client. Let not the balance tremble as you hold it: and, as you hold it now, so may the balance of eternal justice be held for you.

"But is it upon his inconsistency only I call upon you to reject him? I call in aid the evidence of his own kinsman, Mr. Shervington, and Mr. Drought; the evidence of Mr. Bride, and Mr. Graydon.

Before you can believe Armstrong, you must believe that all these are perjured. What are his temptations to perjury?—the hope of bribery and reward:—and he did go up with his sheets of paper in his hand:—here is one—it speaks treason:—here is another—the accused grows paler:—here is a third—it opens another vein. Had Shervington any temptation of that kind? No: let not the honest and genuine soldier lose the credit of it. He has paid a great compliment to the proud integrity of the king his master, when he did venture, at a time like this, to give evidence—'I would not have come for a hundred guineas*!' I could not refuse the effusion of my heart, and avoid exclaiming, 'May the blessings of God pour upon you; and may you never want a hundred guineas!'

"There is another circumstance. I think

* When Mr. Shervington was asked, upon his cross-examination by the counsel for the crown, "if he had not kindly come forward, upon hearing that Captain Armstrong was to be a witness against the Sheareses," he answered, "No: I was summoned. I would not have appeared for a hundred guineas."

I saw it strike your attention, my lords. It was the horrid tale of the three peasants whom he met upon the road:—they had no connexion with the rebels. If they had, they were open to a summary proceeding. He hangs up one, shoots a second, and administers torture to the body of the third, in order to make him give evidence. Why, my lords, did you feel nothing stir within you? Our adjudications have condemned the application of torture for the extraction of evidence. When a wild and furious assassin had made a deadly attempt upon a life of much public consequence, it was proposed to put him to the torture, in order to discover his accomplices. I scarcely know whether to admire most the awful and impressive lesson given by Felton, or the doctrine stated by the judges of the land. 'No,' said he, 'put me not to the torture; for, in the extravagance of my pain, I may be brought to accuse yourselves.' What say the judges?—'It is not allowable, by the law and constitution of England, to inflict torture upon

any man, or to extract evidence under the coercion of personal sufferings.' Apply that to this case: if the unfortunate man did himself dread the application of such an engine for the extraction of evidence, let it be an excuse for his degradation, that he sought to avoid the pain of body, by public infamy. But there is another observation more applicable: says Mr. Drought, 'Had you no feeling, or do you think you will escape future vengeance?' 'Oh! sir, I thought you knew my ideas too well to talk in that way.' Merciful God! do you think it is upon the evidence of such a man that you ought to consign a fellow subject to death? He who would hang up a miserable peasant to gratify caprice, could laugh at remonstrance, and say, 'you know my ideas of futurity.' If he thought so little of murdering a fellow creature without trial, and without ceremony, what kind of compunction can he feel within himself when you are made the instruments of his savage barbarity? He kills a miserable wretch, looking, perhaps,

for bread for his children, and who falls unaccused and uncondemned. What compunction can he feel at sacrificing other victims, when he considers death as eternal sleep, and the darkness of annihilation? These victims are at this moment led out to public execution; he has marked them for the grave; he will not bewail the object of his own work; they are passing through the vale of death, while he is dozing over the expectancy of mortal annihilation.

"Gentlemen, I am too weak to follow the line of observation I had made; but I trust I am warranted in saying, that if you weigh the evidence, the balance will be in favour of the prisoners.

"But there is another topic or two to which I must solicit your attention. If I had been stronger, in a common case I would not have said so much; weak as I am, here I must say more. It may be said that the parol evidence may be put out of the case; that, attribute the conduct of Armstrong to folly, or passion, or whatever else you please, you may safely repose upon

the written evidence. This calls for an observation or two. As to Mr. Henry Sheares, that written evidence*, even if the handwriting were fully proved, does not apply to him: I do not say it was not admissible. The writings of Sidney, found in his closet, were read; justly according to some: but I do not wish to consider that now. But I say the evidence of Mr. Dwyer has not satisfactorily established the handwriting of John. I do not say it is not proved to a certain extent, but it is proved in the very slightest manner that you ever saw paper proved; it is barely evidence to go to you, and the witness might be mistaken. An unpublished writing cannot be an overt act of treason; so it is laid down expressly by Hale and Foster. A number of cases have occurred, and decisions have been pronounced, asserting that writings are not overt acts, for want of publication; but if they plainly relate to an overt act proved, they may be left to the jury for their consideration. But

* This written evidence was an address to the United Irishmen, in the handwriting of John Sheares.

here it has no reference to the overt act laid; it could not have been intended for publication until after the unfortunate event of revolution had taken place, and therefore it could not be designed to create insurrection. Gentlemen, I am not counsel for Mr. John Sheares, but I would be guilty of cruelty if I did not make another observation. This might be an idle composition, or the translation of idle absurdity from the papers of another country: the manner in which it was found leads me to think *that* the more probable. A writing designed for such an event as charged would hardly be left in a writing box, unlocked, in a room near the hall door. The manner of its finding also shews two things; that Henry Sheares knew nothing of it, for he had an opportunity of destroying it, as Alderman Alexander said he had; and further, that he could not have imagined his brother had such a design; and it is impossible, if the paper had been designed for such purposes, that it would not be communicated to him.

"There is a point, to which I will beseech the attention of your lordships. I know your humanity, and it will not be applied merely because I am exhausted or fatigued. You have only one witness to any overt act of treason. There is no decision upon the point in this country*. Jackson's case was the first: Lord Clonmel made an allusion to the point; but a jury ought not to find guilty upon the testimony of a single witness. It is the opinion of Foster, that by the common law, one witness, if believed, was sufficient. Lord Coke's opinion is that two were necessary. They are great names: no man looks upon the works of Foster with more veneration than myself, and I would not compare him with the depreciated credit of Coke; I would rather leave Lord Coke to the character which Foster gives him; that he was

* This is not correct: it was the unanimous opinion of the three judges of the Court of King's Bench, before whom Jackson was tried, that in Ireland two witnesses were not necessary in cases of high treason.—See Jackson's trial, in the first volume.

one of the ablest lawyers, independent of some particulars, that ever existed in England. In the wild extravagance, heat, and cruel reigns of the Tudors, such doctrines of treason had gone abroad as drenched the kingdom with blood. By the construction of crown lawyers, and the shameful complaisance of juries, many sacrifices had been made, and therefore it was necessary to prune away these excesses by the stat. of Edward VI.: and therefore there is every reason to imagine, from the history of the times, that Lord Coke was right in saying, that not by new statute, but by the common law, confirmed and redeemed by declaratory acts, the trials were regulated. A law of Philip and Mary was afterwards enacted; some think it was a repeal of the stat. of Edward VI., some think not. I mention this diversity of opinions with this view, that in this country, upon a new point of that kind, the weight of criminal prosecution will turn the scale in favour of the prisoner; and that the court will be of opinion that the stat. 7

William III. did not enact any new thing unknown to the common law, but redeemed it from abuse. What was the state of England? The king had been declared to have abdicated the throne:—prosecutions, temporising juries, and the arbitrary construction of judges, condemned to the scaffold those who were to protect the crown;—men who knew, that, after the destruction of the cottage, the palace was endangered. It was not, then, the enaction of any thing new; it was founded in the caution of the times, and derived from the maxims of the constitution. I know the peevishness with which Burnet observed upon that statute. He is reprehended in a modest manner by Foster. But what says Blackstone, of great authority, of the clearest head, and the profoundest reading? He differs from Montesquieu, the French philosopher.

" 'In cases of treason there is the accused's oath of allegiance to counterpoise the information of a single witness; and that may, perhaps, be one reason why

the law requires a double testimony to convict him: though the principal reason, undoubtedly, is to secure the subject from being sacrificed to fictitious conspiracies, which have been the engines of profligate and crafty politicians in all ages *.'

"Gentlemen, I do not pretend to say that you are bound by an English act of parliament. You may condemn upon the testimony of a single witness. You, to be sure, are too proud to listen to the wisdom of an English law. Illustrious independents! You may murder under the semblance of judicial forms, because you are proud of your blessed independence! You pronounce that to be legally done which would be murder in England, because you are proud! You may imbrue your hands in blood, because you are too proud to be bound by a foreign act of parliament: and when you are to look for what is to save you from the abuse of arbitrary power, you will not avail yourself of it,

* 4 Bl. Com. 358.

because it is a foreign act of parliament! Is that the independence of an Irish jury? Do I see the heart of any Englishman move when I say to him, 'Thou servile Briton, you cannot condemn upon the perjury of a single witness, because you are held in the tight waistcoat of the cogency of an act of parliament? If power seeks to make victims by judicial means, an act of parliament would save you from the perjury of abominable malice. Talk not of proud slavery to law, but lament that you are bound by the integrity and irresistible strength of right reason; and, at the next step, bewail that the all-powerful Author of nature has bound himself in the illustrious servitude of his attributes, which prevent him thinking what is not true, or doing what is not just.' Go, then, and enjoy your independence. At the other side of the water your verdict, upon the testimony of a single witness, would be murder. But here you can murder without reproach, because there is no act of parliament to bind you to the

ties of social life, and save the accused from the breath of a perjured informer. In England a jury could not pronounce a conviction upon the testimony of the purest man, if he stood alone; and yet what comparison can that case bear with a blighted and marred informer? where every word is proved to be perjury, and every word turns back upon his soul?

"I am reasoning for your country and your children, to the hour of your dissolution: let me not reason in vain. I am not playing the advocate: you know I am not. I put this case to the bench: the stat. 7 W. 3. does not bind this country by its legislative cogency; and will you declare positively, and without doubt, that it is common law, or enacting a new one? Will you say it has no weight to influence the conduct of a jury from the authority of a great and exalted nation?—the only nation in Europe where Liberty has seated herself. Do not imagine that the man who praises Liberty is singing an

idle song:—for a moment it may be the song of a bird in his cage:—I know it may. But you are now standing upon an awful isthmus, a little neck of land, where Liberty has found a seat. Look about you —look at the state of the country—the tribunals that dire necessity has introduced. Look at this dawn of law, admitting the functions of a jury. I feel a comfort. Methinks I see the venerable forms of Holt and Hale looking down upon us, attesting its continuance. Is it your opinion that bloody verdicts are necessary—that blood enough has not been shed—that the bonds of society are not to be drawn close again, nor the scattered fragments of our strength bound together to make them of force; but that they are to be left in that scattered state, in which every little child may break them to pieces? You will do more towards tranquillizing the country by a verdict of mercy. Guard yourselves against the sanguinary excesses of prejudice or re-

venge; and, though you think there is a great call of public justice, let no unmerited victim fall.

"Gentlemen, I have tired you. I durst not relax. The danger of my client is from the hectic of the moment, which you have fortitude, I trust, to withstand. In that belief I leave him to you; and, as you deal justice and mercy, so may you find it. And I hope that the happy compensation of an honest discharge of your duty may not be deferred till a future existence,—which this witness does not expect,—but that you may speedily enjoy the benefits you will have conferred upon your country."

It was between seven and eight o'clock, on the morning of the 13th of July, when the jury retired to consider their verdict. After the deliberation of a few minutes, they returned it, finding both the prisoners guilty. As soon as the verdict was pronounced, the unfortunate brothers clasped each other in their arms. They were

brought up for judgment at three o'clock on the same day, upon which occasion they both addressed the court.

Henry, who had a numerous family, was proceeding to request a short respite; but, when he came to mention his wife and children, he was so overwhelmed with tears, that he found it impossible to go on. His brother spoke with more firmness, and at more length. He began by strenuously disavowing the sanguinary intentions that had been imputed to him in consequence of the unpublished address to the insurgents which had been found in his handwriting, and produced in evidence against him. "The accusation (said he) of which I speak, while I linger here yet a few minutes, is 'that of holding out to the people of Ireland a direction to give no quarter to the troops fighting for its defence.' I can not only acquit my soul of such an intention, but I declare, in the presence of that God before whom I must shortly appear, that the favourite doctrine of my

heart was—*that no human being should suffer death, but where absolute necessity required it.*"

After having spoken for a considerable time to the same effect, he proceeded. "Now, my lords, I have no favour to ask of the court. My country has decided that I am guilty; and the law says that I shall suffer: it sees that I am ready to suffer. But, my lords, I have a favour to request of the court that does not relate to myself. I have a brother, whom I have ever loved dearer than myself;—but it is not from any affection for him alone that I am induced to make the request;—he is a man, and therefore, I hope, prepared to die, if he stood as I do—though I do not stand unconnected;—but he stands more dearly connected. In short, my lords, to spare your feelings and my own, I do not pray that I should not die; but that the husband, the father, the brother, and the son, all comprised in one person, holding these relations, dearer in life to him than any man I know; for such a man I do

not pray a pardon, for that is not in the power of the court; but I pray a respite for such time as the court, in its humanity and discretion, shall think proper. You have heard, my lords, that his private affairs require arrangement. I have a further room for asking it. If immediately both of us be taken off, an aged and revered mother, a dear sister, and the most affectionate wife that ever lived, and six children, will be left without protection or provision of any kind. When I address myself to your Lordships, it is with the knowledge you will have of all the sons of our aged mother being gone: two perished in the service of the king, one very recently. I only request, that, disposing of me with what swiftness either the public mind or justice requires, a respite may be given to my brother, that the family may acquire strength to bear it all. That is all I wish. I shall remember it to my last breath; and I will offer up my prayers for you to that Being who has endued us all with sensibility to feel. This is all I ask."

To this affecting appeal, Lord Carleton replied, "In the awful duty imposed on me, no man can be more sensibly affected than I am, because I knew the very valuable and respectable father and mother from whom you are both descended. I knew and revered their virtues. One of them, happily for himself, is now no more: the other, for whom I have the highest personal respect, probably, by the events of this day, may be hastened into futurity. It does not rest with us, after the conviction which has taken place, to hold out mercy—that is for another place; and I am afraid, in the present situation of public affairs, it will be difficult to grant even that indulgence which you, John Sheares, so pathetically request for your brother. With respect to one object, of your soliciting time for your brother, unfortunately it could be of no use; because, by the attainder, he will forfeit all his property, real and personal: nothing to be settled will remain."

His lordship then, after some preliminary

observations, pronounced sentence of death upon the prisoners; and, at the prayer of the attorney-general, directed that it should be executed upon them on the succeeding day.

The following is a copy of Mr. John Sheares's farewell letter to his family. It is addressed to his sister, to whom he had been most tenderly attached. It may not have much literary merit; "but nature is there, which is the greatest beauty."

Kilmainham Prison.—Wednesday night.

"The troublesome scene of life is nearly closed; and the hand that now traces these lines, in a short time will be no longer capable of communicating to a beloved family the sentiments of his heart.

"It is now eleven o'clock, and I have only time to address my beloved Julia in a short, eternal farewell. Thou sacred Power!—whatever be thy name and nature,—who has created us the frail and imperfect creatures that we are, hear the ardent prayer of one now on the eve of a

most awful change. If thy Divine Providence can be affected by mortal supplication, hear and grant, I most humbly beseech thee, the last wishes of a heart that has ever adored thy greatness and thy goodness. Let peace and happiness once more visit the bosom of my beloved family. Let a mild grief succeed the miseries they have endured; and, when an affectionate tear is generously shed over the dust of him who caused their misfortunes, let all their ensuing days glide on in union and domestic harmony. Enlighten my beloved brother: to him and his invaluable wife grant the undisturbed enjoyment of their mutual love; and, as they advance, let their attachment increase. Let my Julia, my feeling, my too feeling Julia, experience that consolation which she has often imparted to others: let her soul repose at length in the consummation of all the wishes of her excellent heart: let her taste that happiness her virtues have so well merited. For my other sisters provide those comforts their situation requires.

To my mother,—O, Eternal Power! what gift shall I wish for this matchless parent? —Restore her to that peace which I have unfortunately torn from her: let her forget me in the ceaseless affections of my sisters, and in their prosperity: let her taste that happiness which is best suited to her affectionate heart; and, when at length she is called home, let her find, in everlasting bliss, the due reward of a life of suffering virtue.

"Adieu, my dear Julia! My light is just out. The approach of darkness is like that of death, since both alike require me to say farewell! farewell, for ever! O, my dear family, farewell!—Farewell, for ever!

"J. S."

In the cemetery of the church of St. Michan's in Dublin there are vaults for the reception of the dead, of which the atmosphere has the peculiar quality of protracting for many years the process of animal decay. It is not unusual to see there the coffins crumbling away from around what

they were intended for ever to conceal, and thus giving up once more to human view their contents, still pertinaciously resisting the influence of time. In this place the unfortunate brothers were deposited; and in this state of undesigned disinterment their remains may be seen to this day, the heads dissevered from the trunks, and "the hand that once traced those lines" not yet mouldered into dust.

CHAPTER III.

Trials of M'Cann, Byrne, and Oliver Bond—Reynolds the informer—Lord Edward Fitzgerald—his attainder—Mr. Curran's conduct upon the state trials—Lord Kilwarden's friendship—Lines addressed by Mr. Curran to Lady Charlotte Rawdon—Theobald Wolfe Tone—his trial and death.

THE trial of the Sheares's was followed by that of John M'Cann on the 17th of July, of William Michael Byrne on the 20th, and of Oliver Bond on the 23d of the same month. These were among the persons who had been at the head of the United Irishmen in the metropolis, and whom the government, upon information communicated by one of their associates, had arrested in the preceding March. Mr. Curran acted as leading counsel for them all; but his speeches in the two former cases having been entirely suppressed*, the present ac-

* M'Cann and Byrne were convicted and executed.

count must be confined to his defence of Bond.

This was considered by the bar as the most powerful of his efforts upon the state trials of this year; but those who were present at its delivery scarcely recognise it amidst the defects and distortions of the published report. There exists, however, another, a shorter, but a much more correct one; from which some extracts shall be inserted here.

Mr. Curran has been represented, by the detractors of his reputation, as surrounded, during those trials, by an admiring populace, whose passions, instead of endeavouring to control, he was rather anxious to exasperate, by presenting them with exaggerated pictures of the calamities of the times. It is not true that his audiences were of this description: one of the most honourable circumstances of his life is the fact that they were of a far different kind. He was encompassed, indeed, by men whose passions were sufficiently inflamed, but they were passions which it

required no ordinary courage in the advocate to brave, and to despise. In his defence of Bond he was repeatedly interrupted, not by bursts of applause, but by violence and menace; with what effect will appear in the course of the following passages.

"Gentlemen, much pains has been taken to warm you, and then you are intreated to be cool; when the fire has been kindled, it has been spoken to, and prayed to be extinguished. What is that*?" [Here Mr. Curran was again interrupted by the tumult of the auditors; it was the third time that he had been obliged to sit down: on rising he continued,] "I have very little, scarcely any hope of being able to discharge my duty to my unfortunate client, perhaps

* This question was occasioned by a clash of arms among the military that thronged the court; some of those who were nearest to the advocate appeared, from their looks and gestures, about to offer him personal violence, upon which, fixing his eye sternly upon them, he exclaimed, "You may assassinate, but you shall not intimidate me."

most unfortunate in having me for his advocate. I know not whether to impute these inhuman interruptions to mere accident; but I greatly fear they have been excited by prejudice."

[The Court said they would punish any person who dared to interrupt the counsel for the prisoner. "Pray, Mr. Curran, proceed on stating your case: we will take care, with the blessing of God, that you shall not be interrupted."]

"You have been cautioned, gentlemen, against prejudice. I also urge the caution, and not with less sincerity: but what is the prejudice against which I would have you armed? I will tell you: it is that pre-occupation of mind that tries the accused before he is judicially heard—that draws those conclusions from passion which should be founded on proof—and that suffers the temper of the mind to be dissolved and debased in the heat of the season. It is not against the senseless clamour of the crowd, feeling impatient that the idle discussion of fact delays the execution, that

I warn you. No: you are too proud, too humane, to hasten the holiday of blood. It is not against any such disgraceful feelings that I warn you. I wish to recall your recollections to your own minds, to guard you against the prejudice of elevated and honest understanding, against the prejudice of your virtues.

"It has been insinuated, and with artful applications to your feelings of national independence, that I have advanced, on a former occasion, the doctrine that you should be bound in your decisions by an English act of parliament, the statute of William III. Reject the unfounded accusation; nor believe that I assail your independence, because I instruct your judgment and excite your justice. No: the statute of William III. does not bind you; but it instructs you upon a point which before was enveloped in doubt. The morality and wisdom of Confucius, of Plato, of Socrates, or of Tully, does not bind you, but it may elevate and illumine you; and in the same way have British

acts of parliament reclaimed you from barbarism. By the statute of William III. two witnesses are necessary, in cases of high treason, to a just and equal trial between the sovereign and the subject; and Sir William Blackstone, one of the wisest and best authorities on the laws of England, states two witnesses to be but a necessary defence of the subject against the profligacy of ministers. In this opinion he fortifies himself with that of Baron Montesquieu, who says, that, where one witness is sufficient to decide between the subject and the state, the consequences are fatal to liberty; and a people so circumstanced cannot long maintain their independence. The oath of allegiance, which every subject is supposed to have taken, stands upon the part of the accused against the oath of his accuser; and no principle can be more wise or just than that a third oath is necessary to turn the balance. Neither does this principle merely apply to the evidence of a common and impeached informer, such as you have

heard this day, but to that of any one witness, however high and respectable his character."

The informer in question was Thomas Reynolds*, a name that will be long re-

* Reynolds was a silk-mercer of Dublin, who had taken a very active part in the conspiracy. He was, in 1797, a colonel of the United Irishmen, afterwards treasurer and representative of a county, and finally a delegate for the province of Leinster. As the time of the general insurrection approached, either remorse, or the hopes of reward, induced him to apprize the government of the danger. Having previously settled his terms (500 guineas in hand, and personal indemnity) through Mr. Cope, a Dublin merchant, he gave information of an intended meeting of the Leinster delegates at Mr. Bond's house, upon which those persons, among whom were M'Cann and Byrne, were arrested in the month of March. The evidence of Reynolds, when connected with the papers that were seized, was so conclusive against the three who were tried, that no line of defence remained but to impeach his testimony. The following extracts from Mr. Curran's cross-examination of him will shew the manner in which this was attempted.

Thomas Reynolds cross-examined by Mr. Curran.

Q. You talked of yourself as a married man: who was your wife?—*A.* Her name was Witherington.

membered in Ireland, and of which the celebrity has been extended to England,

Q. Whose daughter?—*A.* The daughter of Catherine and William Witherington, of Grafton-street.

Q. She has brothers and sisters?—*A.* One sister and two brothers.

Q. How long are you married?—*A.* I was married upon the 25th of March, 1794.

Q. You were young when your father died?—*A.* I was about sixteen years of age.

Q. I think your mother carried on the business after his death?—*A.* She did.

Q. Do you recollect at that time whether, upon any occasion, you were charged, perhaps erroneously, with having taken any of her money?—*A.* No, sir, I do not recollect having heard any such charge.

Q. You have sisters?—*A.* I have, and had sisters.

Q. Some of them were living at the time of your father's death?—*A.* All that are now living were: there were more, but they died.

Q. Do you recollect having had any charge made of stealing trinkets, or any thing valuable belonging to those sisters?—*A.* Never. I never was charged with taking any thing valuable belonging to any of my sisters.

Q. Were you ever charged with having procured a skeleton key to open a lock belonging to your mother?—*A.* I was.

Q. I do not ask you whether the charge were true or not; but you say there was a charge of that kind?—*A.* I say I was told my mother said so.

by some late discussions of his character in the British parliament. This man had

Q. She did not believe it, I suppose?—*A.* She did not say any thing she did not believe.

Q. And she said it?—*A.* I heard so; and I have no reason to doubt it.

Q. It was to open a drawer?—*A.* No: it was to open an iron chest.

Q. Where there were knives and forks kept?—*A.* It is not usual to keep such things there. I believe papers were kept there. Mr. Warren was my mother's partner: he kept her in ignorance, and did not supply her with money.

Q. Do you not believe that your mother made this charge?—*A.* I believe she thought it at the time. She was a woman of truth; though, at times, extremely passionate. I wish to say this:—You ask me whether I ever was accused of stealing money, or other valuables or trinkets, from my sisters: I was not; but I was accused of stealing my mother's trinkets. I was then about sixteen years of age.

Q. During the partnership between Mr. Warren and your mother, do you recollect any thing about a piece of lutstring?—*A.* I do, perfectly well.

Q. Was any charge made of stealing that?—*A.* The very same charge. I was charged with stealing the lutstring to give it to a girl, and that I also took my mother's jewels for the same purpose.

Q. Then the charge consisted of two parts—the taking,

been the principal witness for the crown upon the trials of M'Cann and Byrne;

and the manner in which they were given away?—*A.* If you will have it so.

Q. I am not asking you whether you committed any facts of this kind or not, but whether the charges were made?—*A.* I tell you the charges were made; and I took the things.

Q. Then you committed the theft, and you were charged with the stealing?—*A.* Both of the facts were true.

Q. I did not ask you as to the skeleton key?—*A.* That charge was untrue.

Q. It did not fit the lock?—*A.* I had no such key: the charge was unfounded: the others were true.

Q. How long is Mrs. Witherington, your mother-in-law, dead?—*A.* Twelve months, last April.

Q. Where did she die?—*A.* In Ash-street: a part of the house was my office, and connected with the house.

Q. How long did she live there?—*A.* About ten months.

Q. Do you recollect what the good old lady died of?—*A.* I do not know; but heard it was a mortification in her bowels: she was complaining badly for some days.

Q. Had there been any medicine brought to her?—*A.* I recollect perfectly well, after she was ill, medicine was brought her.

Q. By whom?—*A.* By me.

and it is not improbable that a tenderness for his reputation had occasioned the sup-

Q. Are you a physician?—*A.* No: but I will tell you. A Mr. Fitzgerald, a relation of our family, who had been an apothecary, and quitted business, left me a box of medicines, containing castor oil, cream of tartar, rhubarb, tartar emetic, and such things. I had been subject to a pain in my stomach, for which he gave me a quantity of powders in small papers, which I kept for use, and found great relief from: they saved my life. I asked Mrs. Reynolds for one of these papers to give Mrs. Witherington, and it was given to her.

Q. It did not save her life?—*A.* No, sir; and I am sorry for it.

Q. You paid her a sum of money?—*A.* I did.

Q. How much?—*A.* 300*l.*

Q. How long before her death?—*A.* About a fortnight or three weeks: I got her receipt, and made my clerk account for it in my books.

Q. Were you ever charged with stealing that money?—*A.* I never heard that such a charge was made: none of the family ever spoke of it to my face.

Q. Captain Witherington is the son of your mother-in-law?—*A.* He is.

Q. Did he make that charge?—*A.* Not to myself. I will mention a circumstance: she had a bond, and gave it to Mr. Jones to purchase a commission: he said the money could not be got; and the 300*l.* was asked to pur-

pression of Mr. Curran's defences in those cases. The following description of him by Mr. Curran, in Bond's case, has been omitted in the common report:

"I know that Reynolds has laboured to establish a connexion between the prisoner and the meeting held at his house; but how does he manage? he brings forward asserted conversations with persons who cannot confront him — with M'Cann, whom he has sent to the grave, and with Lord Edward Fitzgerald, whose premature death leaves his guilt a matter upon which justice dares not to pronounce. He has never told you that he has spoken to any of these in the presence of the prisoner. Are you then prepared, in a case of life and death, of honour and of infamy, to credit a vile informer, the perjurer of an

chase the commission; and I always thought that her son, Edward Witherington, got that money. She died suddenly, and had not made a will.

Q. She died suddenly?—*A.* She died unexpectedly.

Q. She died in forty-eight hours after taking this powder, which you gave to cure her?—*A.* She took the paper on Friday evening, and died on Sunday morning.

hundred oaths—a wretch whom pride, honour, or religion could not bind? The forsaken prostitute of every vice calls upon you, with one breath, to blast the memory of the dead, and to blight the character of the living. Do you think Reynolds to be a villain? It is true he dresses like a gentleman; and the confident expression of his countenance, and the tones of his voice, savour strong of growing authority. He measures his value by the coffins of his victims; and, in the field of evidence, appreciates his fame as the Indian warrior does in fight—by the number of scalps with which he can swell his triumphs. He calls upon you, by the solemn league of eternal justice, to accredit the purity of a conscience washed in his own atrocities. He has promised and betrayed—he has sworn and forsworn; and, whether his soul shall go to heaven or to hell, he seems altogether indifferent, for he tells you that he has established an interest in both. He has told you that he has pledged himself to treason and to allegiance, and that both

oaths has he contemned and broken*. At this time, when reason is affrighted from her seat, and giddy prejudice takes

* The following is the list of Reynolds's oaths.

Q. (By Mr. Curran). Can you just tott up the different oaths that you took upon either side?—*A.* I will give the particulars.

Q. No, you may mention the gross.—No; I will mention the particulars. I took an oath of secrecy in the county meeting—an oath to my captains, as colonel. After this I took an oath, it has been said—I do not deny it, nor do I say I took it, I was so alarmed; but I would have taken one if required—when the United Irishmen were designing to kill me, I took an oath before a county member, that I had not betrayed the meeting at Bond's*. After this I took an oath of allegiance.

* Upon one occasion Reynolds saved himself from the vengeance of those whom he had betrayed, in a way that was more creditable to his presence of mind. Before he had yet publicly declared his infidelity to the cause of the United Irishmen, as one of their leaders, Samuel Neilson, was passing at the hour of midnight through the streets of Dublin, he suddenly encountered Reynolds, standing alone and unarmed. Neilson, who was an athletic man, and armed, rushed upon him, and commanded him, upon pain of instant death, to be silent and to accompany him. Reynolds obeyed, and suffered himself to be dragged along through several dark and narrow lanes, till they arrived at an obscure and retired passage in the liberties of Dublin. Here Neilson presented a pistol to his prisoner's breast.—"What," said the indignant conspirator, "should I do to the villain who could insinuate himself into my confidence for the purpose of betraying me?" Reynolds, in a firm tone, replied, "You should shoot him through the heart." Neilson was so struck by this reply, that, though his suspicions were not removed, he changed his purpose, and putting up his pistol, allowed the other to retire.

This fact is given as related by an eminent Irish barrister, to whom it was communicated by one of the parties.

the reins—when the wheels of society are set in conflagration by the rapidity of their own motion—at such a time does he call upon a jury to credit a testimony blasted by his own accusation. Vile, however, as this execrable informer must feel himself, history, alas! holds out too much encouragement to his hopes; for, however base, and however perjured, I recollect few instances, in cases between the subject and the crown, where informers have not cut keen, and rode awhile triumphant on public prejudice. I know of few instances wherein the edge of his testimony has not been fatal, or only blunted by the extent of its execution, and retiring from the public view beneath an heap of its own carnage."

Mr. Curran's parting words to the jury in this case have been also omitted in the printed collection of his speeches.

Q. Had you ever taken an oath of allegiance before? —*A.* After this, I took an oath before the privy council. I took two, at different times, upon giving informations respecting these trials. I have taken three since, one upon each of the trials; and, before I took any of them, I had taken the oath of allegiance.

"You have been emphatically called upon to secure the state by a condemnation of the prisoner. I am less interested in the condition and political happiness of this country than you are, for probably I shall be a shorter while in it. I have, then, the greater claim on your attention and your confidence, when I caution you against the greatest and most fatal revolution—that of the sceptre into the hands of the informer. These are probably the last words I shall ever speak to you; but these last are directed to your salvation, and that of your posterity, when they tell you that the reign of the informer is the suppression of the law. My old friends, I tell you, that, if you surrender yourselves to the mean and disgraceful instrumentality of your own condemnation, you will mark yourselves fit objects of martial law—you will give an attestation to the British minister that you are fit for, and have no expectation of any other than, martial law—and your liberties will be flown, never, never to return! Your country will be deso-

lated, or only become the gaol of the living; until the informer, fatigued with slaughter, and gorged with blood, shall slumber over the sceptre of perjury. No pen shall be found to undertake the disgusting office of your historian; and some future age shall ask—what became of Ireland? Do you not see that the legal carnage which takes place day after day has already depraved the feelings of your wretched population, which seems impatient and clamorous for the amusement of an execution. It remains with you—in your determination it lies—whether that population shall be alone composed of four species of men—the informer to accuse, the jury to find guilty, the judge to condemn, and the prisoner to suffer. It regardeth not me what impressions your verdict shall make on the fate of this country; but you it much regardeth. The observations I have offered, the warning I have held forth, I bequeath you with all the solemnity of a dying bequest; and oh! may the acquittal of your accused fellow-citizen, who takes

refuge in your verdict from the vampire who seeks to suck his blood, be a blessed and happy promise of speedy peace, confidence, and security, to this wretched, distracted, and self-devouring country *!"

The preceding trials were immediately followed by an act of attainder against three of the conspirators who had previously perished, and whose property and consideration pointed them out as objects of this measure of posthumous severity. One of these was Lord Edward Fitzgerald †, a young nobleman, whose high connexions and personal qualities excited the most lively sympathy for his unfortunate end. He was one of the leaders, against whom Reynolds had given information; and for some weeks

* Mr. Bond was convicted, and sentenced to die; but, in consequence of a negotiation entered into between the government and the state prisoners, of which one of the articles proposed by the latter was that his life should be spared, he was respited. He was shortly after carried off by an attack of apoplexy.

† The other two were Messrs. Cornelius Grogan, and Beauchamp Bagenal Harvey.

had contrived, by disguising and secreting himself, to elude the pursuit of the officers of justice. At length he was traced to an obscure house in the metropolis, and apprehended. He made a desperate resistance, and shortly after died in prison, from the wounds which he had received in the struggle. His widow and infant children petitioned against the bill of attainder, upon which occasion Mr. Curran was heard as their counsel at the bar of the House of Commons*.

His speech upon this question is imperfectly reported; but even had it been more correctly given, the leading topics would be found of too abstract a nature to attract the general reader. It still contains, like almost all his arguments upon the most technical subjects, passages of feeling and interest. At this period he could never refrain, no matter what the occasion might be, from giving expression to the mingled sentiment of melancholy

* August, 1798.

and indignation with which the scenes that were passing before him had filled his mind.

"Upon the previous and important question, namely, the guilt of Lord Edward, (without the full proof of which no punishment can be just), I have been asked by the committee if I have any defence to go into. I was confounded by the question, which I could not answer; but, upon a very little reflection, I see, in that very confusion, the most conclusive proof of the injustice of the bill: for, what can be more flagrantly unjust than to inquire into a fact of the truth or falsehood of which no human being can have knowledge, save the informer who comes forward to assert it? Sir, I how answer the question—I have no defensive evidence: it is impossible that I should. I have often of late gone to the dungeon of the captive; but never have I gone to the grave of the dead to receive instructions for his defence—nor, in truth, have I ever before been at the trial of a dead man: I therefore offer no evidence upon this in-

quiry, against the perilous example of which I do protest on behalf of the public, and against the cruelty and injustice of which I do protest in the name of the dead father, whose memory is sought to be dishonoured, and of his infant orphans, whose bread is sought to be taken away."

The allusion in the following passage to the amiable character of Lord Edward Fitzgerald, will lose much of its force to those who have heard nothing of that unfortunate nobleman, except his fate. His private excellencies were so conspicuous, that the officer of the crown, who moved for leave to bring in the bill of attainder, could not refrain from bearing ample testimony to them: "his political offences he could not mention without grief; and were it consistent with the principles of public justice, he would wish that the recording angel should let fall a tear, and wash them out for ever."

"One topic more," said Mr. Curran, "you will permit me to add. Every act of this sort ought to have a practical morality flowing from its principle. If

loyalty and justice require that these infants should be deprived of bread, must it not be a violation of that principle to give them food or shelter? Must not every loyal and just man wish to see them (in the words of the famous Golden Bull), always poor and necessitous, and for ever accompanied by the infamy of their father; languishing in continued indigence, and finding their punishment in living, and their relief in dying: and if the widowed mother should carry the orphan heir of her unfortunate husband to the gate of any man who might feel himself touched by the sad vicissitudes of human affairs; who might feel a compassionate reverence for the noble blood that flowed in his veins, nobler than the royalty that first ennobled it; that, like a rich stream, rose till it ran and hid its fountain; if remembering the many noble qualities of his unfortunate father, his heart melted over the calamities of the child; if his bosom swelled, if his eyes overflowed, if his too precipitate hand was stretched out by his pity or his gratitude to the poor excom-

municated sufferers, how could he justify the rebel tear, or the traitorous humanity?"

Mr. Curran's conduct upon these memorable causes exposed his character at the time to the foulest misrepresentation. The furious and the timid considered it an act of loyalty to brand as little better than a traitor the advocate, who in defending the accused, ventured to demand those legal privileges, and that fair, impartial hearing, to which, by the constitution of their country, they were entitled. He often received, as he entered the court, anonymous letters threatening his life, if he should utter a syllable that might bring discredit upon the public measures of the day. Even in the house of commons he had, in the preceding year, to meet the charge of having forfeited the character of a "good subject" by his efforts for his clients. "I am heavily censured," said he, "for having acted for them in the late prosecutions. I feel no shame at such a charge, except that of its being made at such a time as this; that to defend the

people should be held out as an imputation upon the king's counsel, when the people are prosecuted by the state. I think every counsel is the property of his fellow subjects. If, indeed, because I wore his majesty's gown I had declined my duty, or had done it weakly or treacherously; if I had made that gown a mantle of hypocrisy, and had betrayed my client, or sacrificed him to any personal view, I might, perhaps, have been thought wiser by those who have blamed me, but I should have thought myself the basest villain upon earth." And in a letter to Mr. Grattan some years after, alluding to the same subject, he says, "but what were those attacks? Slanders provoked by a conduct of which my friends, as well as myself, had reason to be proud—slanders cast upon me by the very men whose want of wisdom or humanity threw upon me the necessity of pursuing that conduct which provoked their vengeance, and their misrepresentations. Thank God! I did adopt and pursue it, under the pressure of uninterrupted

attacks upon my character and fortune, and frequently at the hazard of my life. I trust that while I have memory, that conduct will remain indelibly engraven upon it, because it will be there a record of the most valuable of all claims—a claim upon the gratitude of my own conscience."

In resisting such attacks, or in braving any more aggravated measures of political hatred, Mr. Curran might have stood alone, and have looked with calmness to the result; but gratefully to his own feelings, and honourably for others, he was not thus abandoned to his own protection. It was now that he was enabled to appreciate the full value of some of the intimacies of his youth, by finding in his own case how tenderly the claims of the ancient friend and companion were respected in a season of general alarm, distrust, and unnatural separation. Had it not been for the interference of Lord Kilwarden, his character and repose would have been more frequently invaded; but that virtuous person, whose mind was too pure to be

sullied by party rancour, discountenanced every proposal to persecute his friend; and never failed to check, as far as his authority could do so, any acts of malignity which might have been adopted without his knowledge*.

* As an example of the spirit of petty persecution to which he was exposed from persons in subordinate authority, it may be mentioned, that in the year 1798, when the military were billeted throughout the country, a party of seventeen soldiers, accompanied by their wives, or their profligate companions, and by many children, and evidently selected for the purpose of annoyance, were, without any previous notice, quartered on Mr. Curran's house; but the moment that Lord Kilwarden heard of the circumstance, the nuisance was removed.

There is another instance of similar interposition to which Mr. Curran alludes in his speech on behalf of Hevey, and of which the particulars are too honourable to Lord Kilwarden to be omitted. Mr. Curran, in that case, mentioned, that "a learned and respected brother barrister had a silver cup, and that Major Sandys (the keeper of the Provost prison) having heard that it had for many years borne the inscription of 'Erin go brach,' or 'Ireland for ever,' considered this perseverance in guilt for such a length of years as a forfeiture of the delinquent vessel; and that his poor friend was accordingly robbed of his cup." The gentleman in question

It would be defrauding Lord Kilwarden of his greatest praise, to attribute this

was Mr. M'Nally. The manner of the robbery is characteristic of the times: a serjeant waited upon him, and delivered a verbal command from Major Sandys to surrender the cup; Mr. M'Nally refused, and commissioned the messenger to carry back such an answer as so daring a requisition suggested. The serjeant, a decent, humane Englishman, and who felt an honest awkwardness at being employed on such a service, complied; but respectfully remonstrated upon the imprudence of provoking Major Sandys. The consequences soon appeared: the serjeant returned with a body of soldiers, who paraded before Mr. M'Nally's door, and were under orders to proceed to extremities if the cup was not delivered up. Upon Mr. M'Nally's acquainting Lord Kilwarden with the outrage, the latter burst into tears, and exclaiming, that "his own sideboard might be the next object of plunder, if such atrocious practices were not checked," lost not an instant in procuring a restitution of the property. The cup was accordingly sent back with the inscription erased. "And here," continued Mr. Curran, observing upon this transaction, "let me say, in my own defence, that this is the only occasion upon which I have ever mentioned it with the least appearance of lightness. I have often told the story in a way that it would not become me to tell it here: I have told it in the spirit of those feelings that were excited at seeing that one man could be sober and humane, at a moment when so many thousands were

generous interposition to considerations of mere private friendship: it was only a part of that system of rare and manly toleration which adorned his whole public career. It is often the fate of the most splendid characters, who mingle in political contentions, to be misunderstood and traduced, until the turbulence of the scene is past, or until the appeasing influence of the grave extorts an admission of their virtues. With Lord Kilwarden it was otherwise: so conspicuous were (if not his talents) his integrity and humanity, more admirable than the most exalted talents, that Ireland, in her most passionate moments, thought and spoke of him while he lived as she now does of his memory. His conduct in the

drunk and barbarous; and probably my statement was not stinted, by the recollection that I held that person in peculiar respect and regard. But little does it signify whether acts of moderation and humanity are blazoned by gratitude, by flattery, or by friendship: they are recorded in the heart from which they sprung; and, in the hour of adverse vicissitude, if it should ever come, sweet is the odour of their memory, and precious the balm of their consolation."

situation of attorney-general would alone have entitled him to the lasting gratitude of his country. This trying and so frequently unpopular office he filled during the most agitated period of her history. From the year 1790 to 1798 it devolved upon him to conduct the state prosecutions, a task so difficult to perform without reproach; and, to his honour it is recorded, that he did not escape reproach—the reproach of an extreme respect for human life. He delighted in mercy; and though, "like the noble tree, that is wounded itself, while it yields the balm," the indulgence of his nature exposed him to censure, he was still inflexibly merciful, screening the deluded, mitigating, where it could be done, the punishment of the convicted, abstaining, in the most aggravated cases, from embittering the agonies of the criminal by official invective, or by more inhuman levity. Such were the arts by which this excellent man collected around him the applauses of the good, and earned for his memory that epithet which

is never separated from an allusion to his fate—" *the lamented* Lord Kilwarden."

As soon as the first interval of professional occupation permitted him, Mr. Curran seized the opportunity of passing over to England, and of seeking in a more tranquil scene, and in the consolations of private friendship, a temporary relief from the anguish with which he had witnessed the spectacle of turbulence and suffering at home. Upon the present occasion, his feelings of personal respect, and his certainty of finding a generous sympathy for the calamities of their common country, directed his steps to the residence of the Earl of Moira, a nobleman for whose public and private virtues he had long entertained the most ardent veneration: and it would here be depriving Mr. Curran's memory of one of the titles of honour, upon which he always set the highest value, if it were not added, that, from his first acquaintance with his lordship, and with his accomplished mother, he continued ever

after to enjoy their most perfect confidence and esteem. During this visit to them, he addressed to the latter the following little poem, in which the prevailing sentiment will be found to be the despondency that oppressed his own mind at the unfortunate period.

Lines addressed to Lady Charlotte Rawdon, and written on a blank leaf of Carolan's Irish airs. Donnington Park, October, 1798.

And she said unto her people, Lo! he is a wanderer and in sadness; go, therefore, and give him food, that he be not hungry, and wine, that he be comforted. And they gave him food and wine, and his heart was glad: and, when he was departing, he said unto her, I will give thee a book—it containeth the songs of the bards of Erin, of the bards of the days that are gone! and these bards were prophets, and the griefs of the times to come were known unto them, and their hearts were sore troubled; and their songs, yea, even their songs of joy were full of heaviness! This book will I give unto thee; and it shall be a memorial of the favour thou shewedst unto me. And I will pray a prayer for thee, and it shall be heard—that thy days may be happy; and that, if sorrow should come unto thee, it may only be for a season, and that thou mayest find comfort even as I have done, so that thou mayest say, even as I have said, I did not take heed unto my words, when I said I was as one with-

out hope. Surely I am not a wanderer, neither am I, in the land of strangers!

By the waters of Babylon we sat down and wept, when we remembered thee, O Sion!

Carolan, thy happy love
No jealous doubt, no pang can prove.
Thy generous lord is kind as brave;
He loves the bard, and scorns the slave:
And Charlotte deigns to hear thy lays,
And pays thee not with thoughtless praise.
With flowery wreaths the cup is crown'd:
The frolic laugh, the dance goes round
"The hall of shells:" the merry throng
Demand thy mirth, demand thy song.
Here echoes wait to catch the strain,
And sweetly give it back again.
Then, happy bard! awake thy fire—
Awake the heart-string of thy lyre—
Invoke thy Muse. Thy Muse appears;
But robed in sorrow, bathed in tears.
No blithesome tale, alas! she tells—
No glories of the "hall of shells"—
No joy she whispers to thy lays—
No note of love, no note of praise;—
But to thy boding fancy shows
The forms of Erin's future woes,
The wayward fates, that crown the slave,
That mar the wise, that crush the brave,
The tyrant's frown, the patriot's doom,
The mother's tears, the warrior's tomb.

In vain would mirth inspire thy song:
Grief heaves thy breast, and claims thy tongue:
Thy strain from joy to sadness turns:
The bard would smile—the prophet mourns

Mr. Curran had scarcely returned to Ireland to resume his public duties, when it was his fate to be engaged, while performing them, in another scene, which bore a striking resemblance to the melancholy catastrophe in Jackson's case. The circumstances alluded to were those which followed the trial and conviction of Theobald Wolfe Tone.

Mr. Tone was one of the most active promoters of the designs of the United Irishmen; and, according to the concurring testimony of all his cotemporaries, was the ablest man who had given his support to that cause. He was originally a member of the Irish bar, where his talents could not have failed to have raised him to di-

* These verses were written in answer to a question from Lady Rawdon, upon the cause of the mixture of liveliness and melancholy which distinguishes the compositions of Carolan.

stinction; but the principles of the French revolution, and the hope of successfully applying them to change the condition of his own country, soon diverted his ardent mind from legal pursuits, and involved him in that political career which subsequently occupied his life. In this new field he, at a very early period, became conspicuous for his zeal in supporting the claims of the Roman catholics, who appointed him a secretary to their committee, and voted him a sum of money as the reward of his exertions. He was also one of the original projectors of the plan of combining the popular strength and sentiment, which was afterwards matured into the Irish Union. That association existed some years before its object was to effect a revolution; but it has already been shewn, that, as early as 1791, Mr. Tone recommended precisely the same views which the future leaders vainly attempted to accomplish. In 1794, when Jackson arrived in Ireland upon his secret mission from the French government, he soon discovered that Mr. Tone

was one of the persons the most likely to approve and assist his designs. He accordingly communicated them to him, and was not disappointed in his expectation. Mr. Tone so cordially embraced the proposal of an invasion of Ireland by the French, that, had not the urgency of his private affairs prevented, he would have passed over to France, in order to confer in person with the French authorities upon the subject. Some of the discussions upon this topic took place in the prison of Newgate, in the presence of Cockayne and Mr. Hamilton Rowan, the latter of whom was at that time under sentence of confinement for the publication of a libel. Jackson being shortly after arrested upon the information of Cockayne, Mr. Rowan, who was aware that the evidence of that witness would equally involve himself, effected his escape, and fled to France. Mr. Tone remained. Whatever his more private communications might have been with Jackson, upon whose fidelity he relied, he conceived that the amount of Cock-

ayne's testimony could convict him of no higher an offence than misprision of treason. Considerable exertions were also used by his private friends to dissuade the government from a prosecution; and, in consequence, he was not arrested. The evidence upon Jackson's trial, however, having publicly shewn that some degree of treasonable connexion had subsisted between him and Mr. Tone, the latter was advised, if he consulted his safety, to withdraw from Ireland. He accordingly, in the summer of 1795, transported himself and his family to America*. Here he did not remain many months. He tendered his services to the French Directory, and having met with all the encouragement he could

* The vessel, in which he was a passenger, no sooner arrived in sight of an American port, than she was boarded by a boat from a British man of war. Mr. Tone was (among others) impressed to serve as a sailor in his majesty's navy; but, after considerable difficulties, his own remonstrances, and the solicitations of Mrs. Tone, obtained his release.

desire, he procured a passage to France, where he arrived in the beginning of the year 1796. He was most favourably received, and appointed to a commission in the French army. His efforts to persuade the Directory to send an armament to Ireland have been previously mentioned. The first expedition having failed, a second attempt was made in the autumn of 1798. This was equally unsuccessful; and Mr. Tone, who was on board the *Hoche* French line of battle ship, one of the vessels captured by Sir J. B. Warren's squadron off the Irish coast, fell into the hands of the English government, and was brought to trial by court-martial in Dublin, on the 10th of November, 1798.

Mr. Tone appeared in court in the dress of a French officer. When called on for his defence, he admitted the facts of which he was accused*; but pleaded (of course ineffectually) his French commission. He

* When asked what he would plead, he exclaimed, "Guilty; for I have never, during my life, stooped to a prevarication."

then proceeded to read a paper which he had drawn up in justification of his conduct, from the conclusion of which it was evident that he had entertained no hope that any defence could avail him. "I have little more to say. Success is all in this life; and, unfavoured of her, virtue becomes vicious in the ephemeral estimation of those who attach every merit to prosperity. In the glorious race of patriotism, I have pursued the path chalked out by Washington in America, and Kosciusko in Poland. Like the latter, I have failed to emancipate my country; and, unlike them both, I have forfeited my life. I have done my duty, and I have no doubt the court will do theirs. I have only to add, that a man, who has thought and acted as I have done, should be armed against the fear of death. I conceive," continued he, "that I stand here in the same light with our *emigrès;* and, if the indulgence lay within the power of the court, I would only request what French magnanimity allowed to Charette and to the Count de Som-

breuil—the death of a soldier, and to be shot by a file of grenadiers. This is the only favour I have to ask; and I trust, that men, susceptible of the nice feelings of a soldier's honour, will not refuse the request. It is not from any personal feeling that I make this request, but from a respect to the uniform which I wear, and to the brave army in which I have fought."

This final request was not granted. It was directed by the government that he should be executed in the ordinary form, and in the most public manner; but this the prisoner took the resolution of preventing, by an act, which, in his case, shews the uncertain security of any speculative determinations respecting suicide, against the pressure of the actual calamity, or of the many other motives which impel a man to raise his hand against himself.

Upon the evening before the Hoche sailed from Brest, the subject of suicide was fully discussed among the Irish, who formed a part of the expedition. They felt confident of success, should the French

troops debark in safety upon the coast of Ireland; but they were equally certain, that, if captured at sea, they would all be condemned and executed. Upon this a question arose, whether, in the latter event, they should suffer themselves to be put to death according to the sentence and forms of law. Mr. Tone maintained that they ought; and, with his usual eloquence and animation, delivered his decided opinion, that, in no point of view in which he had ever considered suicide, could he hold it to be justifiable. It is supposed, that, in his own particular instance, he did not at this time anticipate an ignominious mode of death; but that he expected, in case of capture and condemnation, to be allowed the military privilege which he afterwards so earnestly claimed *. Disappointed in

* The gentleman who has communicated the above circumstances was present at the conversation. Independent of the moral arguments adduced against suicide, it was suggested by one of the company, that, from political considerations, it would be better not to relieve, by any act of self-murder, the Irish government from the

this hope, he now committed the act which he had so lately reprobated. He was induced to do so either by a natural impulse of personal pride, of which he had not previously contemplated the powerful influence, or (as is conjectured by those who best knew him) out of consideration for the army of which he was a member, and for whose honour, in his estimation, no sacrifice could be too great.

Mr. Tone's execution was fixed for Monday, the 12th of November. At an early hour upon that morning the sentinel who watched in his room having approached to awaken him, found him with his throat cut across, and apparently expiring. A surgeon was immediately called, who, on examining the wound, pronounced

discredit in which numerous executions would involve it—an idea which, he says, Mr. Tone warmly approved. He adds, that when it appeared that the Hoche was likely to be captured, a boat was despatched to her from the *Biche* (a small, fast sailing vessel, which afterwards escaped into Brest), in order to bring off all the Irish on board; but that Mr. Tone could not be persuaded to avail himself of the opportunity.

it not mortal, though extremely dangerous; to which Mr. Tone faintly answered, "I find, then, I am but a bad anatomist." The wound was dressed, with the design of prolonging life till the hour of one o'clock, the time appointed for his execution. In the interval a motion was made in the court of King's Bench by Mr. Curran, on an affidavit of Mr. Tone's father, stating that his son had been brought before a bench of officers, calling itself a court-martial, and by them sentenced to death. "I do not pretend to say," observed Mr. Curran, "that Mr. Tone is not guilty of the charges of which he was accused;—I presume the officers were honourable men;—but it is stated in the affidavit, as a solemn fact, that Mr. Tone had no commission under his majesty, and therefore no court-martial could have cognizance of any crime imputed to him, while the court of King's Bench sat in the capacity of the great criminal court of the land. In times when war was raging, when man was opposed to man in the field,

courts martial might be endured; but every law authority is with me while I stand upon this sacred and immutable principle of the constitution—*that martial law and civil law are incompatible*; and that the former must cease with the existence of the latter. This is not the time for arguing this momentous question. My client must appear in this court. *He is cast for death this day.* He may be ordered for execution while I address you. I call on the court to support the law. I move for a habeas corpus to be directed to the prevost-marshal of the barracks of Dublin, and Major Sands to bring up the body of Mr. Tone."

Chief Justice.—"Have a writ instantly prepared."

Mr. Curran.—"My client may die while this writ is preparing."

Chief Justice.—"Mr. Sheriff, proceed to the barracks, and acquaint the prevost-marshal that a writ is preparing to suspend Mr. Tone's execution; and *see that he be not executed.*"

The court awaited, in a state of the utmost agitation, the return of the sheriff.

Mr. Sheriff.—"My lords, I have been at the barracks, in pursuance of your order. The prevost-marshal says he must obey Major Sands. Major Sands says he must obey Lord Cornwallis."

Mr. Curran.—"Mr. Tone's father, my lords, returns, after serving the habeas corpus: he says General Craig will not obey it."

Chief Justice.—"Mr. Sheriff, take the body of Tone into your custody. Take the prevost-marshal and Major Sands into custody: and show the order of this court to General Craig."

Mr. Sheriff, who was understood to have been refused admittance at the barracks, returns.—"I have been at the barracks. Mr. Tone, having cut his throat last night, is not in a condition to be removed. As to the second part of your order, I could not meet the parties."

A French emigrant surgeon, whom Ge-

neral Craig had sent along with the sheriff, was sworn.

Surgeon.—"I was sent to attend Mr. Tone this morning at four o'clock. His windpipe was divided. I took instant measures to secure his life, by closing the wound. There is no knowing, for four days, whether it will be mortal. His head is now kept in one position. *A sentinel is over him, to prevent his speaking.* His removal would kill him."

Mr. Curran applied for further surgical aid, and for the admission of Mr. Tone's friends to him. Refused.

Chief Justice.—"Let a rule be made for suspending the execution of Theobald Wolfe Tone; and let it be served on the proper person."

The prisoner lingered until the 19th day of November, when he expired, after having endured in the interval the most excruciating pain *; and with his fate shall close

* Mr. Tone had reached only his thirty-fourth year. His father was an eminent coach-maker in Dublin: he had sixteen children (thirteen sons and three daughters),

the account of the part which Mr. Curran bore in the public transactions of this calamitous year.

of whom only five attained the age of maturity, and whose fates afford a singular instance of the wanderings and calamities of a single family. Theobald died as above related. Matthew was executed the same year, in Dublin barracks, for high treason: it is said that no more than five persons were present at the execution. William was killed in India, a major in Holkar's service. Arthur accompanied his brother Theobald to America; and was subsequently, at the early age of eighteen, appointed to the command of a frigate in the service of the Dutch republic: he is supposed to have perished at sea, as no account was ever after received of him. Mary was married to a foreign merchant, and died at St. Domingo. Their aged mother survives, and now resides in Dublin.

After the death of Mr. Wolfe Tone, his widow and infant children were protected by the French republic; and, on the motion of Lucien Bonaparte, a pension granted for their support.

CHAPTER IV.

Effects of the legislative union upon Mr. Curran's mind —Speech in Tandy's case—Speech in behalf of Hevey —Allusion in the latter to Mr. Godwin—Mutual friendship of Mr. Curran and Mr. Godwin.

MR. CURRAN'S history, during the eight remaining years of his forensic life, consists almost entirely of the causes of interest in which he was engaged. He was no longer in parliament when the question of the Union was agitated and carried. This measure, which he had always deprecated as ruinous and disgraceful to his country, completed those feelings of political despondency to which the scenes of the rebellion, and the uniform failure of every struggle to avert them, had been habituating his mind. With the Union, which he considered as "the extinction of the Irish name," all his long cherished hopes for Ireland vanished for ever. From

this last shock to his affections and his pride he never recovered. It was ever after present to his imagination, casting a gloom over all his political speculations, and interfering with the repose of his private hours. This sensibility to what so many others bore with complacency as a mere national disaster, will perhaps be ridiculed as affected, or doubted as incredible; but those who best knew him can attest the sincerity and the extent of his affliction. It was so deep, that he began seriously to meditate a final departure from Ireland *. At one time he looked towards America, at another to the English bar; but the better influence of duties and old attachments prevailed over these suggestions of melancholy, and he remained

* "That country (as he observes in one of his latest speeches at the bar) of which I have so often abandoned all hope, and which I have been so often determined to quit for ever—

Sæpe vale dicto, multa sum deinde locutus,
Et quasi discedens oscula summa dabam,
Indulgens animo, pes tardus erat."

Speech in Judge Johnson's Case.

to conclude his fortunes on the scene where they had commenced.

CASE OF JAMES NAPPER TANDY.

One of Mr. Curran's speeches, which has been omitted in all the editions of the published collection, was that in behalf of Mr. James Napper Tandy. Mr. Tandy had been a conspicuous member of the early societies of United Irishmen. In 1795 he was indicted for high treason, and fled to the continent, where he became an officer in the French service. He was one of the persons excluded from the benefit of the bill of general amnesty, which was passed after the suppression of the rebellion of 1798. The other particulars of his case may be sufficiently collected from Mr. Curran's statement. The trial took place in the King's Bench, before Lord Kilwarden and the other judges of that court, on the 19th of May, 1800.

Mr. Curran (for the prisoner). "My lords, and you, gentlemen of the jury, I am in this case of counsel for Mr. Tandy, the prisoner at the bar. I could have wished it had been the pleasure of the gentlemen who conduct this business on the part of the crown, to have gone on first: the subject itself is of a very novel nature in this country; but certainly it is the right of the crown, and which the gentlemen have thought proper to follow, to call on the counsel for the prisoner to begin; and therefore it is my duty, my lords, to submit to you, and to explain, under the direction of the court, to you, gentlemen of the jury, what the nature of the question is that you are sworn to try.

"An act of parliament was passed in this country, which began to be a law on the 6th of October, 1798; on that day it received the royal assent. By that law it is stated, that the prisoner at the bar had been guilty of acts of treason of many different kinds: and it enacted, that he should stand attainted of high treason, except he

should, on or before the first day of December following, surrender himself to one of the judges of this court, or to one of his majesty's justices of the peace, for the purpose of becoming amenable to that law, from which he was supposed to have fled, in order to abide his trial for any crime that might be alleged against him.

"It was a law not passed for the purpose of absolutely pronouncing any judgment whatsoever against him, but for the purpose of compelling him to come in and take his trial: and nothing can shew more strongly that that act of parliament has not established any thing touching the fact of the prisoner's guilt; because it would be absurd, in one and the same breath, to pronounce that he was guilty of high treason, and then call upon him to come in and abide his trial: and the title of the act speaks that it is an act not pronouncing sentence against the prisoner, but that it is an act in order to compel him to come forward.

"This act creates a parliamentary at-

tainder, not founded on the establishment of the prisoner's guilt of treason, but on his contumacious avoidance of trial, by standing out against a trial by law. I make this observation to you, gentlemen of the jury, in order that you may, in the first instance, discharge from your minds any actual belief of any criminality in the prisoner at the bar, and that for two reasons; first, because a well-founded conviction of his guilt, on the authority of this statute, might have some impression on the minds of men sitting in judgment on the prisoner; but for a more material reason I wish to put it from your minds, because his guilt or innocence has nothing to do with the issue you are sworn to try.

"Gentlemen, the issue you are called to try is not the guilt or the innocence of the prisoner; it is therefore necessary you should understand exactly what it is. The prisoner was called on to shew cause why he should not suffer death, pursuant to the enacting clause of the statute; and he has put in a plea, in which he states, that be-

fore the time for surrender had expired, namely, on the 24th of November, 1798, seven days before the day that he had for surrendering had expired; he was, by the order of his majesty, arrested, and made a prisoner in the town of Hamburgh; and that in consequence of such arrest, it became impossible for him to surrender himself and become amenable to justice within the time prescribed: and the counsel for the crown have rested the case on the denial, in point of fact, of this allegation; and, therefore, the question that you are to try is simplified to this—'I was arrested,' says the prisoner, 'whereby it became impossible for me to surrender'—to which the counsel for the crown reply, 'You have not been arrested at the time alleged by you, whereby it became impossible for you to surrender.' This I conceive to be the issue, in point of fact, joined between the parties, and on which it is my duty to explain the evidence that will be offered.

"Mr. Tandy is a subject of this country, and had never been in it from the time

this act of parliament passed, until he was brought into it after his arrest on the 24th of November, 1798: on that day he was in the town of Hamburgh. He had seven days, in which time it was practicable for him to arrive in this country, and surrender himself, according to the requisitions of the act of attainder. Every thing that could be of value to man was at stake, and called on him to make that surrender. If he did not surrender, his life was forfeited—if he did not surrender, his fortune was confiscated—if he did not surrender, the blood of his family was corrupted; and he could leave them no inheritance, but the disgrace of having suffered as a traitor.

"Your common sense, gentlemen, will shew you, that where a man is to forfeit his life unless he complies with the conditions of an act of parliament—your common sense, your common humanity must shew you, that a man ought to be suffered to perform the conditions on which his life depends. It can require no argument to impress upon your mind, that to call on a

man to surrender himself on pain of death, and by force to prevent him from surrendering, goes to an atrocity of oppression that no human mind can contemplate without horror.

"But it seems that the prisoner at the bar was a man of too much consequence to the repose of all civilized nations; to the great moral system, I might almost say, to the great physical system of the universe, to be permitted to act in compliance with the statute that called upon him to surrender himself upon pain of death. The wisdom of the entire continent was called upon to exercise its mediation on this most momentous circumstance—the diplomatic wisdom of Germany was all put into action on the subject—the enlightened humanity of the north was called on to lend its aid. Gentlemen, you know as well as I the princely virtues, and the imperial qualifications, the consummate wisdom and sagacity of our stedfast friend and ally, the emperor of all the Russias; you must feel the awe with which

he ought to be mentioned: his sacred person has become embodied in the criminal law of England, and it has become almost a misprision to deem of him or speak of him but with reverence. I feel that reverence for him; and I deem of him and conceive him to be a constellation of all virtue —compared with whose radiance the Ursa-major twinkles only as the glow-worm. And, gentlemen, what was the result of the exercise of this combination of wisdom? That James Napper Tandy ought not to be got rid of in the ordinary way. They felt an honest and a proper indignation, that a little community like Hamburgh should embezzle that carcase which was the property of a mild and merciful government: they felt a proper indignation that the senate of Hamburgh, under the present sublime system, should defraud the mercy of the government of the blood of the prisoner, or cheat the gibbet of his bones, or deprive the good and loyal ravens of this country of his flesh—and accordingly by an order issued to these miserable inhabit-

ants of the town of Hamburgh, who were made to feel that common honesty and common humanity can only be sustained by a strength not to be resisted; they were obliged to break the ties of justice and hospitality—to trample on the privileges that every stranger claims; they were obliged to suffer the prisoner to be trampled on, and meanly, and cruelly, and pitiably to give up this unfortunate man to the disposal of those who could demand him at such a price.

"If a surrender, in fact, had been necessary on the part of the prisoner, certainly a very material object was achieved by arresting him: because they thereby made it impossible for him to avail himself of the opportunity. They made it impossible for him to avail himself of the surrender, if the reflection of his mind led him to it. If a sense of the duty he owed his family led him to a wish, or to an intention, of availing himself of the remaining time he had to surrender, they were determined he should not take advantage

of it. He had been guilty of what the law deems a crime, that is, of flying from justice, though it does not go to the extent of working a corruption of blood: but by this act of power—by this act of tyrannic force, he was prevented from doing that which every court of justice must intend he was willing to do: which the law intends he would have done—which the law gave him time to do—which the law supposes he might have done the last hour, as well as the first. He was on his passage to this country; that would not have taken up a third part of the time that had now elapsed —but by seizing on him in the manner he was arrested, it became impossible for him to surrender himself, or become amenable to justice. But, gentlemen, the prisoner, when he was arrested, was treated in a manner that made it impossible for him to do any act that might have been considered as tantamount to a surrender. He was confined in a dungeon, little larger than a grave—he was loaded with irons—

he was chained by an iron that communicated from his arm to his leg; and that so short, as to grind into his flesh. In such a state of restriction did he remain for fifteen days; in such a situation did he lie in a common vault; food was cut into shapeless lumps, and flung to him by his filthy attendants as he lay on the ground, as if he had been a beast: he had no bed to lie on; not even straw to coil himself up in, if he could have slept. In that situation he remained in a foreign country for fifteen days of his long imprisonment; and he is now called to shew good cause why he should not suffer death, because he did not surrender himself and become amenable to the law. He was debarred all communication whatsoever: if he attempted to speak to the sentinels that guarded him, they could not understand him: he did make such kind of indications of his misery and his sufferings as could be conveyed by signs, but he made them in vain; and he is now called on to shew good cause where-

fore he did contumaciously and traitorously refuse to surrender himself, and become amenable to the law.

"Gentlemen of the jury, I am stating facts that happened in a foreign country; will you expect that I should produce witnesses to lay those abominable offences before you in evidence? It was not in the power of the prisoner at the bar to procure witnesses; he was not of importance enough to call on the armed civilization of Europe, or on the armed barbarity of Europe, to compel the inhabitants of the town where he was imprisoned to attend at the bar of this court to give evidence for the preservation of his life; but though such interposal could not be obtained to preserve his life, it could be procured for the purposes of blood. And this is one reason why the rights of neutral states should be respected; because, if an individual, claiming those privileges, be torn from that sanctuary, he comes without the benefit of the testimony of those that could save his life. It is a maxim of law, that no man

shall lose any thing, much less his life, by the non-performance of a condition, if that non-performance had arisen by the act of God, or of the party who is to avail himself of the condition; that the impossibility so imposed shall be an excuse for the non-performance of the condition: that is the defence the prisoner relies upon here. 'Why did you not surrender, and become amenable to justice? Because I was in chains.'—'Why did you not come over to Ireland? Because I was a prisoner in a grave in the town of Hamburgh.'—'Why did you not do something tantamount to a surrender? Because I was unpractised in the language of the strangers, who could not be my protectors, because they were also my fellow-sufferers.' But he may push this reasoning much farther; the statute was made for the express purpose of making him amenable. When the crown seized him at Hamburgh, it thereby made him amenable, and so satisfied the law. It could not seize him for execution as an attainted person, for the time had not ar-

rived at which the attainder could attach. The king, therefore, seized him as a man liable to be tried, and yet he calls upon him to suffer death, because he did not make himself amenable, by voluntary surrender; that is, because he did not do that which the king was pleased to do for him, by a seizure which made it at once unnecessary and impossible for him to do by any voluntary act. Such is the barbarity and folly that must ever arise, when force and power assume the functions of reason and justice. As to his intention after the arrest, it is clearly out of the question. The idea of intention is not applicable to an impossible act. To give existence to intention, the act must be possible, and the agent must be free. Gentlemen, this, and this only, is the subject on which you are to give a verdict. I do think it is highly honourable to the gentleman who has come over to this country, to give the prisoner at the bar the benefit of his evidence; no process could have compelled him: the inhabitants of foreign countries are beyond

the reach of process to bring witnesses to give evidence. But we have a witness, and that of the highest respectability, who was himself at Hamburgh at the time Mr. Tandy was arrested, in an official situation. We will call Sir James Crawford, who was then the king's representative in the town of Hamburgh. We will shew you, by his evidence, the facts that I have stated; that before the time allowed to the prisoner to surrender had elapsed, Sir James Crawford did, in his official situation; and by orders from his own government, cause the person of Mr. Tandy to be arrested in Hamburgh. Far am I from suspecting, or insinuating against Sir James Crawford, that any of the cruelties that were practised on that abused and helpless community, or on my abused client, were committed at his instance or personal sanction; certain am I that no such fact could be possible.

"I told you before, gentlemen, that the principal question you had to try was, the fact on which the parties had joined issue; the force and arrest alleged by the pri-

soner; and the denial of that force by the counsel for the crown. There is one consideration, that I think necessary to give some attention to. What you may think of the probable guilt or innocence of the prisoner, is not within the question that you are to decide; but if you should have any opinion of that sort, the verdict given in favour of the prisoner can be no preclusion to public justice, if after your verdict they still call for his life; the utmost that can follow from a verdict in his favour will be, that he will be considered as a person who has surrendered to justice, and must abide his trial for any crime that may be charged against him. There are various ways of getting rid of him, if it is necessary to the repose of the world that he should die. I have said, if he has committed any crime, he is amenable to justice, and in the hands of the law: he may be proceeded against before a jury, or he may be proceeded against in another and more summary manner: it may so happen that you may not be called upon to dispose finally of his

life or of his character. Whatever verdict a jury can pronounce upon him can be of no final avail. There was, indeed, a time when a jury was the shield of liberty and life: there was a time, when I never rose to address it without a certain sentiment of confidence and pride; but that time is past. I have no heart now to make any appeal to your indignation, your justice, or your humanity. I sink under the consciousness that you are nothing. With us, the trial by jury has given place to shorter, and, no doubt, better modes of disposing of life. Even in the sister nation, a verdict can merely prevent the duty of the hangman; but it never can purge the stain which the first malignity of accusation, however falsified by proof, stamps indelibly on the character of an 'acquitted felon.' To speak proudly of it to you would be a cruel mockery of your condition; but let me be at least a supplicant with you for its memory: Do not, I beseech you, by a vile instrumentality, cast any disgrace upon its memory. I know

you are called out to day to fill up the ceremonial of a gaudy pageant, and that to-morrow you will be flung back again among the unused and useless lumber of the constitution: but, trust me, the good old trial by jury will come round again; trust me, gentlemen, in the revolution of the great wheel of human affairs, though it is now at the bottom, it will re-ascend to the station it has lost, and once more assume its former dignity and respect; trust me, that mankind will become tired of resisting the spirit of innovation, by subverting every ancient and established principle, and by trampling upon every right of individuals and of nations. Man, destined to the grave,—nothing that appertains to him is exempt from the stroke of death,—his life fleeth as a dream, his liberty passeth as a shadow. So, too, of his slavery—it is not immortal; the chain that grinds him is gnawed by rust, or it is rent by fury or by accident, and *the wretch is astonished at the intrusions of freedom,*

*unannounced even by the harbinger of hope**. Let me therefore conjure you, by the memory of the past, and the hope of the future, to respect the fallen condition of the good old trial by jury, and cast no infamy upon it. If it is necessary to the repose of the world that the prisoner should

* There is a passage in Dante descriptive of the same state of amazement, produced by an unexpected escape from danger.

E come quei che con lena affanata,
Uscito del pelago alla riva,
Si volge all' acqua perigliosa, e *guata*.

(And, as a man with difficult short breath,
Forespent with toiling, 'scaped from sea to shore,
Turns to the perilous wide waste, and stands
At gaze.

Cary's Translation.)

A distinguished Italian writer, now in England, commenting upon this passage in a late number of a periodical work, observes, nearly in the words of Mr. Curran, "The concluding verse places the man in that state of stupor whhich is felt upon passing at once to safety from despair, without the intervention of hope: he looks back upon perdition with a stare, unconscious how he had escaped it."

die, there are many ways of killing him—we know there are; it is not necessary that you should be stained with his blood. The strange and still more unheard-of proceedings against the prisoner at the bar, have made the business of this day a subject of more attention to all Europe than is generally excited by the fate or the suffering of any individual. Let me, therefore, advise you seriously to reflect upon your situation, before you give a verdict of meanness and of blood that must stamp the character of folly and barbarity upon this already disgraced and degraded country*."

The next of Mr. Curran's professional efforts which shall be noticed was that in behalf of Mr. John Hevey, who brought an action for false imprisonment against Charles Henry Sirr, town-major of Dublin†.

* The jury found a verdict for the prisoner. He was afterwards permitted to retire to the continent, where he ended his days.

† May, 1802.

This, though a private case, was intimately connected with the public events in which the preceding state-trials originated. It also resembles them in the examples of suffering and depravity which it exhibits. It presents a picture of a race of beings, the greatest scourge of an agitated country—political middle-men, who, conscious that the restoration of tranquillity must throw them out of employment and plunder, feel an interest in aggravating the public disorders by every art of violence and persecution, which, under the pretext of proving their zeal, can prolong the necessity of their office. Of this office and its detestable abuses, a tolerable idea may be formed from a sketch of Mr. Curran's statement.

"It was at that sad crisis (1798) that the defendant, from an obscure individual, started into notice and consequence. It is in the hot-bed of public calamity that such inauspicious products are accelerated without being matured. From being a town-major, a name scarcely legible in

the list of public incumbrances, he became at once invested with all the real powers of the most absolute authority.

"With this gentleman's extraordinary elevation began the story of the sufferings and ruin of the plaintiff. A man was prosecuted by the state; Hevey, who was accidentally present at the trial, knowing the witness for the prosecution to be a person of infamous character, mentioned the circumstance in court. He was sworn, and on his evidence the prisoner was acquitted. In a day or two after Major Sirr met the plaintiff in the street, asked how he dared to interfere in *his* business? and swore, by God, he would teach him how to meddle with 'his people.' On the following evening poor Hevey was dogged in the dark into some lonely alley—there he was seized, he knew not by whom, nor by what authority—his crime he soon learned, it was the treason he had committed against the majesty of Major Sirr. He was immediately conducted to a new place of imprisonment in the castle yard,

called the provost. Of this mansion of misery Major Sandys was the keeper, a gentleman of whom I know how dangerous it is to speak, and of whom every prudent person will think and talk with all due reverence. Here Hevey lay about seven weeks; he was at last discovered among the sweepings of the prison. 'Hevey' (said the major) 'I have seen you ride, I think, a smart sort of a mare—you can't use her here—you had better give me an order for her.' Hevey, induced by hope and by fear, gave the order. The major accepted the order, saying, 'your courtesy will not cost you much—you are to be sent down to-morrow to Kilkenny, to be tried for your life—you will most certainly be hanged—and you can scarcely think that your journey to the other world will be performed on horseback.' Hevey was accordingly transmitted to Kilkenny, tried by a court-martial, and convicted upon the evidence of a person under sentence of death, who had been allured by a proclamation, offering a reward to any man

who would come forward and give any evidence against the traitor Hevey. Lord Cornwallis read the transmiss. of Hevey's condemnation—his heart recoiled from the detail of stupidity and barbarity.—He dashed his pen across the odious record, and ordered that Hevey should be forthwith liberated. On his return to Dublin the plaintiff met Major Sandys, and demanded his mare;—'Ungrateful villain,' (says the major) 'is this the gratitude you show to his majesty and to me, for our clemency to you—you shan't get possession of the beast.' Hevey brought an action for the mare; the major, not choosing to come into court and suggest the probable success of a thousand actions, restored the property.

"Three years," continued Mr. Curran, "had elapsed since the deliverance of my client—the public atmosphere had cleared—the private destiny of Hevey seemed to have brightened, but the malice of his enemies had not been appeased. On the 8th of last September, Mr. Hevey was

sitting in a public coffee-house—Major Sirr was there—Mr. Hevey was informed that Major Sirr had at that moment said, that he (Hevey) ought to have been hanged. The plaintiff was fired at the charge; he fixed his eye on Sirr, and asked if he had dared to say so? Sirr declared that he had, and had said truly. Hevey answered, that he was a slanderous scoundrel. At the instant Sirr rushed upon him, and, assisted by three or four of his satellites, who had attended him in disguise, secured him and sent him to the castle guard, desiring that a receipt might be given for the villain.—He was sent thither. The officer of the guard chanced to be an Englishman, but lately arrived in Ireland,—he said to the bailiffs, 'if this was in England, I should think this gentleman intitled to bail, but I don't know the laws of this country—however I think you had better loosen those irons on his wrists, or they may kill him.'

"Major Sirr, the defendant, soon arrived, went into his office, and returned with an

order which he had written, and by virtue of which Mr. Hevey was conveyed to the custody of his old friend and gaoler, Major Sandys. Here he was flung into a room of about thirteen feet by twelve; it was called the hospital of the provost; it was occupied by six beds, in which were to lie fourteen or fifteen miserable wretches, some of them sinking under contagious disorders. Here he passed the first night without bed or food. The next morning his humane keeper, the major, appeared. The plaintiff demanded why he was so imprisoned, complained of hunger, and asked for the gaol allowance? Major Sandys replied with a torrent of abuse, which he concluded by saying,—'your crime is your insolence to Major Sirr; however, he disdains to trample on you—you may appease him by proper and contrite submission; but unless you do so, you shall rot where you are. I tell you this, that if government will not protect us, by God, we will not protect them. You will probably (for I know your insolent and ungrateful hardiness) attempt to

get out by an habeas corpus, but in that you will find yourself mistaken, as such a rascal deserves.' Hevey was insolent enough to issue an habeas corpus, and a return was made on it, 'that Hevey was in custody under a warrant from General Craig, on a charge of treason.' That this return was a gross falsehood, fabricated by Sirr, I am instructed to assert. The judge, before whom this return was brought, felt that he had no authority to liberate the unhappy prisoner; and thus, by a most inhuman and malicious lie, my client was again remanded to the horrid mansion of pestilence and famine. Upon this Mr. Hevey, finding that nothing else remained, signed a submission dictated by Sandys, was enlarged from confinement, and brought the present action."

The foregoing is a very curtailed sketch of the particulars of this case; those who partake of the prevailing taste for strong emotions are referred to the entire report, where they will find in every line abundant sources of additional excitement.

Of the style in which the advocate commented upon these extraordinary facts, the following is among the most striking examples.

Adverting to the ignorance in which England was kept regarding the sufferings of Ireland, and to the benefit to be derived, from sending her one authenticated example, Mr. Curran goes on,—"I cannot also but observe to you, that the real state of one country is more forcibly impressed on the attention of another by a verdict on such a subject as this, than it could be by any general description. When you endeavour to convey an idea of a great number of barbarians practising a great variety of cruelties upon an incalculable multitude of sufferers, nothing defined or specific finds its way to the heart; nor is any sentiment excited, save that of a general, erratic, unappropriated commiseration. If, for instance, you wished to convey to the mind of an English matron the horrors of that direful period, when, in defiance of the remonstrance of the ever to

be lamented Abercromby, our poor people were surrendered to the licentious brutality of the soldiery, by the authority of the state—you would vainly endeavour to give her a general picture of lust, and rapine, and murder, and conflagration. By endeavouring to comprehend every thing, you would convey nothing. When the father of poetry wishes to pourtray the movements of contending armies and an embattled field, he exemplifies only, he does not describe—he does not venture to describe the perplexed and promiscuous conflicts of adverse hosts, but by the acts and fates of a few individuals he conveys a notion of the vicissitudes of the fight and the fortunes of the day. So should your story to her keep clear of generalities; instead of exhibiting the picture of an entire province, select a single object, and even in that single object do not release the imagination of your hearer from its task, by giving more than an outline. Take a cottage—place the affrighted mother of her orphan daughters at the door,

the paleness of death in her face, and more than its agonies in her heart—her aching heart, her anxious ear struggling through the mist of closing day to catch the approaches of desolation and dishonour. The ruffian gang arrives—the feast of plunder begins—the cup of madness kindles in its circulation—the wandering glances of the ravisher become concentrated upon the shrinking and devoted victim: you need not dilate—you need not expatiate—the unpolluted mother, to whom you tell the story of horror, beseeches you not to proceed; she presses her child to her heart—she drowns it in her tears—her fancy catches more than an angel's tongue could describe; at a single view she takes in the whole miserable succession of force, of profanation, of despair, of death. So it is in the question before us. If any man shall hear of this day's transaction, he cannot be so foolish as to suppose that we have been confined to a single character like those now brought before you. No, gentlemen, far from it—he will have too

much common sense not to know, that outrages like this are never solitary; that where the public calamity generates imps like these, their number is as the sands of the sea, and their fury as insatiable as its waves."

The jury awarded Mr. Hevey 150*l.* damages: out of Ireland this verdict excited some surprise and indignation, feelings which sufficiently corroborate Mr. Curran's assertion, that the internal condition of his country was but little known in the sister kingdom. A story of such complicated sufferings and indignities would have found a far different reception from an English jury—but the plaintiff in this action was a person to whom, in Ireland, it would have been deemed disloyal to have granted a just remuneration. Hevey was suspected of disaffection in 1798, and the men, who were thus regardless of his appeal to their sympathy, were avenging the popular excesses of that year.

In the course of Mr. Curran's observations upon the persecution of his client in

this case, he took an occasion of introducing a happy and well-merited compliment to a friend and a man of genius. "No country" (said he) "governed by any settled laws, or treated with common humanity, could furnish any occurrences of such unparalleled atrocity; and if the author of Caleb Williams, or of the Simple Story, were to read the tale of this man's sufferings, it might, I think, humble the vanity of their talents (if they are not too proud to be vain), when they saw how much more fruitful a source of incident could be found in the infernal workings of the heart of a malignant slave, than in the richest copiousness of the most fertile and creative imagination."

Among his English friends, the author of Caleb Williams was the one to whom Mr. Curran, during the last twenty years of his life, was the most attached, and in whose society he most delighted. However he may have dissented from some of Mr. Godwin's speculative opinions, he always considered him as a man of the most de-

cidedly original genius of his time, and uniformly discountenanced the vulgar clamour with which it was the fashion to assail him. There are many who well remember his fervour and eloquence upon this topic, and the tears which he so frequently excited by his glowing descriptions of the private excellencies of his friend, and of the manly, philosophic equanimity by which he triumphed over every accident of fortune. Mr. Curran's affection and respect were not unreturned.—Mr. Godwin attended him in his last illness, watched over him till he expired, accompanied him to his grave, and has since his death omitted no occasion, in public or private, of honouring his memory*.

* His last work, Mandeville, is dedicated to the memory of Mr. Curran, "the sincerest friend he ever had," —a tribute of generous and disinterested regard, of which the motives are above all suspicion.

CHAPTER V.

Mr. Curran visits Paris—Letter to his son—Insurrection of 1803—Defence of Kirwan—Death of Lord Kilwarden—Intimacy of Mr. Robert Emmet in Mr. Curran's family, and its consequences—Letter from Mr. Emmet to Mr. Curran—Letter from the same to Mr. Richard Curran.

THIS year (1802) Mr. Curran, taking advantage of the short peace, revisited France. His journey thither now was undertaken with views and anticipations very different from those which had formerly attracted his steps towards that country. He had this time little hope of any gratification;—he went from an impulse of melancholy curiosity, to witness the extent of his own disappointments, and to ascertain in person whether any thing worth saving, in morals and institutions, had escaped the general wreck; for he was among those whose general attachment to freedom had induced them to hail with joy the first

prospects which the revolution seemed to open upon France. His own early admiration of the literary and social genius of her people had made him watch, with the liveliest interest, the progress of their struggles, until they assumed a character which no honourable mind could contemplate without anguish and horror.

To Mr. Curran, too, every painful reflection upon the destiny of France was embittered from its connexion with a subject so much nearer to his heart, the fate of Ireland:—for to whatever cause the late rebellion might be attributed, whether to an untimely and intemperate spirit of innovation in the people, or to an equally violent spirit of coercion in the state, it was in the influence of the French revolution that the origin of both might be found.

It will be seen, from some passages in the following letter to one of his sons, that he found little in France under its consular government to diminish his regrets or justify a return to hope.

"Paris, October 5, 1802.

"DEAR RICHARD,

"Here I am, after having lingered six or seven days very unnecessarily in London. I don't know that even the few days that I can spend here will not be enough—sickness long and gloomy—convalescence disturbed by various paroxysms—relapse confirmed—the last a spectacle soon seen and painfully dwelt upon. I shall stay here yet a few days. There are some to whom I have introductions that I have not seen. I don't suppose I shall get myself presented to the consul. Not having been privately baptized at St. James's would be a difficulty; to get over it a favour; and then the trouble of getting one's self costumed for the show; and then the small value of being driven, like the beasts of the field before Adam when he named them;—I think I sha'n't mind it. The character of this place is wonderfully different from that of London. I think I can say without affectation, that I miss the frivolous elegance of

the old times before the revolution, and that in the place of it I see a squalid, beard-grown, vulgar vivacity; but still it is vivacity, infinitely preferable to the frozen and awkward sulk that I have left. Here they certainly wish to be happy, and think that by being merry they are so. I dined yesterday with Mr. Fox, and went in the evening to Tivoli, a great planted, illuminated garden, where all the *bourgeoisie* of Paris, and some of a better description, went to see a balloon go up. The aeronaut was to have ascended with a smart girl, his *bonne amie*; for some reason that I know not, some one else went up in her place; she was extremely mortified; the balloon rose, diminished, vanished into night; no one could guess what might be its fate, and the poor dear one danced the whole evening to shake off her melancholy.

"I am glad I have come here. I entertained many ideas of it, which I have entirely given up, or very much indeed altered. Never was there a scene that could furnish more to the weeping or the grin-

ning philosopher; they well might agree that human affairs were *a sad joke**. I see it every where, and in every thing. The wheel has run a complete round; only changed some spokes and a few 'fellows,' very little for the better, but the axle certainly has not rusted; nor do I see any likelihood of its rusting. At present all is quiet except the tongue, thanks to those invaluable protectors of peace, the army!!

* This idea occurs again in a speech, delivered by Mr. Curran two years subsequent to the date of the above letter.—"I find, my lords, I have undesignedly raised a laugh. Never did I less feel merriment—let me not be condemned—let not the laugh be mistaken.—Never was Mr. Hume more just than when he says, 'that in many things the extremes are nearer to one another than the means.' Few are those events, that are produced by vice and folly, which fire the heart with indignation, that do not also shake the sides with laughter. So when the two famous moralists of old beheld the sad spectacle of life, the one burst into laughter, and the other melted into tears;—they were each of them right and equally right.—

Si credas utrique
Res sunt humanæ flebile ludibrium.

But these are the bitter ireful laughs of honest indignation, or they are the laughs of hectic melancholy and despair."—*Speech in behalf of Mr. Justice Johnson.*

At Tivoli last night we had at least an hundred soldiers, with fixed bayonets. The consul now *lives* at St. Cloud, in a magnificence, solitary, but still fitting his marvellous fortune. He is very rarely seen—he travels by night—is indefatigable—has no favourite, &c.

"As to the little affairs at the Priory*, I can scarcely condescend, after a walk in the Louvre, amid the spirit of those arts which were inspired by freedom, and have been transmitted to power, to think of so poor a subject. I hope to get a letter from you in London, at Osborne's, Adelphi. Many of the Irish are here—not of consequence, to be in danger: I have merely heard of them. Yesterday I met Arthur O'Connor in the street, with Lord and Lady Oxford. Her ladyship very kindly pressed me to dine; but I was engaged. I had bargained for a cabriolet, to go and see my poor gossip. Set out at two: at the end of five miles found I was totally misdirected—returned to St. Denys—got

* Mr. Curran's country seat in the vicinity of Dublin.

a miserable dinner, and was fleeced as usual. I had some vengeance of the rascal, however, by deploring the misery of a country where a stranger had nothing for his dinner but a bill. You feel a mistake in chronology in the two "yesterdays;" but, in fact, part of this was written yesterday, and the latter part now. I need not desire you to bid any one remember me; but tell them I remember them. Say how Eliza does. Tell Amelia and Sarah I do not forget them. God bless you all.

"J. P. C."

A more detailed and elaborate exposition of Mr. Curran's opinions upon the condition of France at this period, and upon the merits of its ruler's system, is contained in a speech which he made the following year in defence of Owen Kirwan, one of the persons engaged in the insurrection of the 23d of July, 1803. He undertook the office of counsel for some of these deluded insurgents, not in the expectation that any aid of his could save

them, but because it afforded him an opportunity of warning his countrymen against a recurrence to such fatal enterprises, by publicly protesting against their folly and criminality, and by exposing the fatuity of those who imagined that a revolution, achieved by the assistance of France, could have any other effect than that of subjecting Ireland to the merciless controul of that power. His opinions and advice upon this subject he gave at considerable length in the speech alluded to, which, independent of any other claims to praise, remains an honourable testimony of his promptness in opposing the passions of the people, where he did not conceive that they were the necessary result of more reprehensible passions in a higher quarter. He has hitherto been seen almost uniformly exclaiming against the latter as the principal causes of his country's disasters; it is therefore due to him, and to the government of 1803, to give an example of the different language that he used where he considered it deserved.

"I cannot but confess that I feel no small consolation when I compare my present with my former situation upon similar occasions. In those sad times to which I allude, it was frequently my fate to come forward to the spot where I now stand, with a body sinking under infirmity and disease, and a mind broken with the consciousness of public calamity, created and exasperated by public folly. It has pleased heaven that I should live to survive both these afflictions, and I am grateful for its mercy. I now come here through a composed and quiet city—I read no expression in any face, save such as marks the ordinary feelings of social life, or the various characters of civil occupation—I see no frightful spectacle of infuriated power or suffering humanity—I see no tortures—I hear no shrieks—I no longer see the human heart charred in the flame of its own vile and paltry passions, black and bloodless, capable only of catching and communicating that destructive fire by which it devours, and is itself devoured—I no longer

behold the ravages of that odious bigotry by which we were deformed, and degraded, and disgraced; a bigotry against which no honest man should ever miss an opportunity of putting his countrymen, of all sects, and of all descriptions, upon their guard.

"Even in this melancholy place I feel myself restored and recreated by breathing the mild atmosphere of justice, mercy, and humanity—feel I am addressing the parental authority of the law. I feel I am addressing a jury of my countrymen, of my fellow subjects, and my fellow christians, against whom my heart is waging no concealed hostility, from whom my face is disguising no latent sentiment of repugnance or disgust. I have not now to touch the high-raised strings of an angry passion in those that hear me; nor have I the terror of thinking, that, if those strings cannot be snapped by the stroke, they will be only provoked into a more instigated vibration.

"I have heard much of the dreadful extent of the conspiracy against this coun-

try, of the narrow escape of the government: you now see the fact as it is. By the judicious adoption of a mild and conciliatory system of conduct, what was six years ago a formidable rebellion has now dwindled down to a drunken, riotous insurrection—disgraced, certainly, by some odious atrocities:—its objects, whatever they were, no doubt highly criminal; but, as an attack upon the state, of the most contemptible insignificance.

"I have no pretension to be the vindicator of the lord lieutenant of Ireland, whose person I do not know that I have ever seen; at the same time, when I am so necessarily forced upon the subject, I feel no disposition to conceal the respect and satisfaction with which I saw the king's representative comport himself as he did, at a crisis of no little anxiety, though of no considerable danger. I think it was a proof of his excellency's firmness and good sense, not to discredit his own opinion of his confidence in the public safety, by an ostentatious display of

unnecessary open preparation; and I think he did himself equal honour, by preserving his usual temper, and not suffering himself to be exasperated by the event, when it did happen, into the adoption of any violent or precipitate measures. Perhaps I may even be excused, if I confess that I was not wholly free from some professional vanity when I saw that the descendant of a great lawyer * was capable of remembering what, without the memory of such an example, he perhaps might not have done, that, even in the moment of peril, the law is the best safeguard of the constitution. At all events, I feel that a man, who, at all times, has so freely censured the extravagancies of power and force as I have done, is justified, if not bound, by the consistency of character, to give the fair attestation of his opinion to the exercise of wisdom and humanity wherever he finds them, whether in a friend or in a stranger."

Upon the subject of the mere political

* Lord Hardwicke.

folly, "setting even apart all moral tie of duty or allegiance, or the difficulty or the danger" of Ireland's desiring to separate from England, and fraternize with France, Mr. Curran observes, "Force only can hold the acquisitions of the French consul. What community of interest can he have with the different nations that he has subdued and plundered? clearly none. Can he venture to establish any regular and protected system of religion amongst them? Wherever he erected an altar, he would set up a monument of condemnation and reproach upon those wild and fantastic speculations which he is pleased to dignify with the name of philosophy, but which other men, perhaps because they are endowed with a less aspiring intellect, conceive to be a desperate, anarchical atheism, giving to every man a dispensing power for the gratification of his passion, teaching him that he may be a rebel to his conscience with advantage, and to his God with impunity. Just as soon would the government of Britain

venture to display the crescent in their churches, as an honorary member of all faiths to shew any reverence to the cross in his dominions. Apply the same reasoning to liberty. Can he venture to give any reasonable portion of it to his subjects at home, or his vassals abroad? The answer is obvious: sustained merely by military force, his unavoidable policy is to make *the army every thing*, and *the people nothing*. If he ventured to elevate his soldiers into citizens, and his wretched subjects into freemen, he would form a confederacy of mutual interest between both, against which he could not exist a moment.

"I may be asked are these merely my own speculations, or have others in Ireland adopted them. I answer freely, *non meus hic sermo est*. It is, to my own knowledge, the result of serious reflection in numbers of our countrymen. In the storm of arbitrary sway, in the distraction of torture and suffering, the human mind had lost its poise and tone, and was incapable of sober reflection; but, by removing those

terrors from it, by holding an even hand between all parties, by disdaining the patronage of any sect or faction, the people of Ireland were left at liberty to consider her real situation and interest; and happily for herself, I trust in God, she has availed herself of the opportunity. With respect to the higher orders, even of those who thought they had some cause to complain, I know this to be the fact—they are not so blind as not to see the difference between being proud, and jealous, and punctilious, in any claim of privilege or right between themselves and their fellow subjects, and the mad and desperate depravity of seeking the redress of any dissatisfaction that they might feel, by an appeal to force, or the dreadful recourse to treason and to blood. As to the humbler orders of our people,—for whom, I confess, I feel the greatest sympathy, because there are more of them to be undone,—I have not the same opportunity of knowing their actual opinions; but if their opinions be other than I think they ought to be, would to God they were

present in this place, or that I had the opportunity of going into their cottages,—and they well know I should not disdain to visit them, and to speak to them the language of affection and candour on the subject,—I should have little difficulty in shewing to their quick and apprehensive minds how easy it is, when the heart is incensed, to confound the evils which are inseparable from the destiny of imperfect man, with those which arise from the faults or errors of his political situation. I would put a few questions to their candid, unadulterated sense:—Do you think you have made no advance to civil prosperity within the last twenty years? Are your opinions of modern and subjugated France the same that you entertained of popular and revolutionary France fourteen years ago? Have you any hope, that, if the first consul got possession of your island, he would treat you half so well as he does those countries at his door, whom he must respect more than he can respect or regard you? Can you suppose that the perfidy and

treason of surrendering your country to an invader would, to your new master, be any pledge of your allegiance? Can you suppose, that, while a single French soldier was willing to accept an acre of Irish ground, that he would leave that acre in the possession of a man who had shewn himself so stupidly dead to the suggestions of the most obvious interest, and to the ties of the most imperious moral obligations? Do you think he would feel any kind-hearted sympathy for you? Answer yourselves by asking, What sympathy does he feel for Frenchmen, whom he is ready by thousands to bury in the ocean, in the barbarous gambling of his wild ambition? What sympathy, then, could bind him to you? He is not your countryman: the scene of your birth and your childhood is not endeared to his heart by the reflection that it was also the scene of his. He is not your fellow-christian: he is not, therefore, bound to you by any similarity of duty in this world, or by any union of hope beyond the grave; what, then, could

you suppose the object of his visit, or the consequence of his success? Can you be so foolish as not to see that he would use you as slaves while he held you; and that when he grew weary, which he would soon become, of such a worthless and precarious possession, he would carry you to market in some treaty of peace, barter you for some more valuable concession, and surrender you to expiate by your punishment and degradation, the advantage you had given him by your follies and your crimes."

The particulars of the scene on the night of the 23d of July are not inserted here*. It resembled a riot rather than an insurrection, and was alarming only because it was unexpected; for, notwithstanding the momentary panic which it excited, in a few hours the public tranquillity was restored: yet however innocuous to the state, it was to Ireland a great calamity.

* The account of the plan of insurrection, drawn up by Mr. Robert Emmet during his imprisonment, will be found in the Appendix.

It revived and confirmed many sentiments of internal animosity and distrust, by fatally proving that the elements of disorder were not extinct; it violently tore from the services of his country the respected Lord Kilwarden, one of the most upright of her magistrates; the wisest, because the gentlest, in her councils; the man who of all others least required such a martyrdom to consecrate his name. It is scarcely necessary to add, that to Mr. Curran the fate of a person whom he had so long loved and honoured, and who in the season of trial had proved so tender a friend to him, and to their common country, was a source of profound and lasting affliction*.

* It is universally agreed that the murder of this excellent man was the unpremeditated act of a ferocious rabble; but there are various accounts of their probable motives in wantonly sacrificing so upright and humane a judge to their fury. A popular explanation of this is, that the perpetrators mistook him for another person. There is also an account which admits the mistake in the first instance, but subjoins other particulars which appear sufficiently probable; and as some of the facts, of which

But it was not solely in this point of view that the late events affected Mr.

there is no doubt, reflect the highest honour upon Lord Kilwarden's memory, the whole shall be given here.

In the year 1795, when he was attorney-general, a number of young men (all of whom were between the age of fifteen and twenty) were indicted for high treason. Upon the day appointed for their trial they appeared in the dock, wearing shirts with tuckers and open collars, in the manner usual with boys. When the chief justice of the King's Bench, before whom they were to be tried, came into court and observed them, he called out, "Well, Mr. Attorney, I suppose you're ready to go on with the trials of these *tuckered* traitors?" The attorney-general was ready, and had attended for the purpose; but indignant and disgusted at hearing such language from the judgment seat, he rose, and replied, "No, my lord, I am *not* ready; and (added he, in a low tone to one of the prisoner's counsel who was near him), if I have any power to save the lives of these boys, whose extreme youth I did not before observe, that man shall never have the gratification of passing sentence upon a single one of these *tuckered* traitors." He performed his promise, and soon after procured pardons for them all, upon the condition of their expatriating themselves for ever; but one of them obstinately refusing to accept the pardon upon that condition, he was tried, convicted, and executed. Thus far the facts rest upon credible authorities: what follows is given as an unauthenticated report. After the death

Curran's there were some accompanying circumstances which more intimately related to himself; and however painful their introduction may be, it yet becomes every one who has a sense of the fidelity which is due to the public whom he addresses, not to screen himself behind his personal feelings, where a paramount duty demands their sacrifice; still less would he, upon whom that duty at present devolves, be justified under such a pretext, in leaving the possibility of any misconception or reproach regarding one whose memory the combined sentiments of nature, of country,

of this young man, his relatives (it is said) readily listening to every misrepresentation which flattered their resentment, became persuaded that the attorney-general had selected him alone to suffer the utmost severity of the law. One of these (a person named Shannon) was an insurgent on the 23d of July, and when Lord Kilwarden, hearing the popular cry of vengeance, exclaimed from his carriage, "It is I, Kilwarden, chief justice of the King's Bench!" "Then," cried out Shannon, "you're the man that *I* want!" and plunged a pike into his lordship's body.

This story was current among the lower orders in Dublin, who were the most likely to know the fact.

and of individual respect, impel him to cherish and revere. In the following facts, as far as they are generally connected with Mr. Curran, there is indeed no new disclosure. It is a matter of notoriety, that at this period his house was searched—that he appeared himself before the members of the privy council—and that a rumour prevailed, to which his political enemies gave a ready credit, and as far as they could, a confirmation, that he was personally implicated in the recent conspiracy. To be silent, therefore, upon a subject so well known, would be a fruitless effort to suppress it; to allude to it remotely and timidly would be to imply that the whole could not bear to be told: it only remains then to give an explicit statement of the particulars, and to subjoin one or two original documents, which will be found to corroborate it in every essential point.

The projector of the late insurrection, Mr. Robert Emmet, who was a young gentleman of a highly respectable family, of very striking talents and interesting

manners, was in the habit of visiting at Mr. Curran's house: here he soon formed an attachment for Mr. Curran's youngest daughter. Of the progress of that attachment, and of the period and occasion of his divulging it to her, Mr. Emmet's letters, inserted hereafter, contain all that is to be told. It is necessary, however, to add, as indeed will sufficiently appear from those letters, that her father remained in total ignorance of the motive of Mr. Emmet's visits, until subsequent events made it known to all. To a man of his celebrity and attractive conversation, there seemed nothing singular in finding his society cultivated by any young person to whom he afforded (as he so generally did to all) the opportunities of enjoying it. As the period, however, of the intended insurrection approached, Mr. Curran began to suspect, from minute indications, which would probably have escaped a less skilful observer, that his young visitor was actuated by some strong passions, which it cost him a per-

petual effort to conceal; and in consequence, without assigning to those appearances any precise motive, or giving the subject much attention, he, in general terms, recommended to his family not to allow what was at present only a casual acquaintance to ripen into a greater degree of intimacy.

Upon the failure of the insurrection, its leader escaped, and succeeded for some weeks in secreting himself. There is reason to believe, that had he attended solely to his safety, he could have easily effected his departure from the kingdom; but in the same spirit of romantic enthusiasm which distinguished his short career, he could not submit to leave a country to which he could never more return, without making an effort to have one final interview with the object of his unfortunate attachment, in order to receive her personal forgiveness for what he now considered as the deepest injury. It was apparently with a view to obtaining this last

gratification that he selected the place of concealment in which he was discovered: he was arrested in a house situate midway between Dublin and Mr. Curran's country seat. Upon his person were found some papers, which shewed that subsequent to the insurrection he had corresponded with one of that gentleman's family: a warrant accordingly followed, as a matter of course, to examine Mr. Curran's house, where some of Mr. Emmet's letters were found, which, together with the documents taken upon his person, placed beyond a doubt his connexion with the late conspiracy, and were afterwards used as evidence upon his trial.

It was from this legal proceeding that Mr. Curran received the first intimation of the melancholy attachment in which one of his children had been involved. This is not the place to dwell upon the agony which such a discovery occasioned to the private feelings of the father. It was not the private calamity alone which he had to deplore; it came embittered by other circumstances, which, for the moment,

gave his sensibility an intenser shock. He was a prominent public character, and from the intrepid resistance which he had uniformly made in the senate and at the bar to the unconstitutional measures of the state, was inevitably exposed to the political hatred of many, who would have gloried in the ruin of his reputation as in a decisive triumph over those principles which he had all his life supported. He had seen and experienced too much of party calumny not to apprehend that it would shew little respect for a misfortune which could afford a pretext for accusation; and however secure he might feel as to the final results of the most merciless investigation, he still could not contemplate without anguish the possibility of having to suffer the "humiliation of an acquittal." But his mind was soon relieved from all such distressing anticipations. He waited upon the attorney-general*, and tendered

* The right honourable Standish O'Grady, the present Chief Baron of the Exchequer in Ireland.

his person and papers to abide any inquiry which the government might deem it expedient to direct. That officer entered into his situation with the most prompt and manly sympathy, and instead of assuming the character of an accuser of the father, more generously displayed his zeal in interceding for the child. At his instance Mr. Curran accompanied him to the privy council. Upon his first entrance there was some indication of the hostile spirit which he had originally apprehended. A noble lord, who at that time held the highest judicial situation in Ireland, undertook to examine him upon the transaction which had occasioned his attendance. To do this was undoubtedly his duty; but overstepping his duty, or at least his prudence, he thought proper to preface his intended questions by an austere, authoritative air, of which the palpable meaning was, that he considered intimidation as the most effectual mode of extracting the truth. He fixed his eye upon Mr. Curran, and was proceeding to cross-examine his coun-

tenance, when (as is well remembered by the spectators of the scene) the swell of indignation, and the glance of stern dignity and contempt which he encountered there, gave his own nerves the shock which he had meditated for another's, and compelled him to shrink back into his chair, silent and disconcerted at the failure of his rash experiment. With this single exception, Mr. Curran was treated with the utmost delicacy; for this he was principally indebted to the friendship of the attorney-general, who finding that every inquiry and document upon the subject explained all the circumstances beyond the possibility of an unfavourable conjecture, humanely and (where it was necessary) firmly interposed his authority, to save the feelings of the parent from any additional affliction.

The following are the letters which it seems requisite to introduce. There was a time when the publication of them would have excited pain, but that time is past. The only persons to whom such a proceeding could have given a pang,

the father and the child, are now beyond its reach; and their survivor, who from a sense of duty permits them to see the light, does so under a full persuasion, that all those who from personal knowledge, or from report, may sometimes recal their memories with sentiments of tenderness or esteem, will find nothing in the contents of those documents which can provoke the intrusion of a harsher feeling.

FROM MR. ROBERT EMMET TO JOHN PHILPOT CURRAN, ESQ.

"I did not expect you to be my counsel. I nominated you, because not to have done so might have appeared remarkable. Had Mr. ——— been in town, I did not even wish to have seen you; but as he was not, I wrote to you to come to me once. I know that I have done you very severe injury, much greater than I can atone for with my life: that atonement I did offer to make before the privy council, by pleading guilty, if those documents were

suppressed. I offered more—I offered, if I was permitted to consult some persons, and if they would consent to an accommodation for saving the lives of others, that I would only require for my part of it the suppression of those documents, and that I would abide the event of my own trial. This also was rejected; and nothing but individual information (with the exception of names) would be taken. My intention was, not to leave the suppression of those documents to possibility, but to render it unnecessary for any one to plead for me, by pleading guilty to the charge myself.

"The circumstances that I am now going to mention, I do not state in my own justification. When I first addressed your daughter, I expected that in another week my own fate would be decided. I knew that in case of success, many others might look on me differently from what they did at that moment; but I speak with sincerity, when I say that I never was anxious for situation or distinction

myself, and I did not wish to be united to one who was. I spoke to your daughter, neither expecting, nor, in fact, under those circumstances, wishing that there should be a return of attachment; but wishing to judge of her dispositions, to know how far they might be not unfavourable or disengaged, and to know what foundation I might afterwards have to count on. I received no encouragement whatever. She told me that she had no attachment for any person, nor did she seem likely to have any that could make her wish to quit you. I staid away till the time had elapsed when I found that the event to which I allude was to be postponed indefinitely. I returned by a kind of infatuation, thinking that to myself only was I giving pleasure or pain. I perceived no progress of attachment on her part, nor any thing in her conduct to distinguish me from a common acquaintance. Afterwards I had reason to suppose that discoveries were made, and that I should be obliged to quit the kingdom immediately; and I came to make a

renunciation of any approach to friendship that might have been formed. On that very day she herself spoke to me to discontinue my visits: I told her that it was my intention, and I mentioned the reason. I then, for the first time, found, when I was unfortunate, by the manner in which she was affected, that there was a return of affection, and that it was too late to retreat. My own apprehensions, also, I afterwards found, were without cause, and I remained. There has been much culpability on my part in all this, but there has also been a great deal of that misfortune which seems uniformly to have accompanied me. That I have written to your daughter since an unfortunate event has taken place, was an additional breach of propriety, for which I have suffered well; but I will candidly confess, that I not only do not feel it to have been of the same extent, but that I consider it to have been unavoidable after what had passed; for though I will not attempt to justify in the smallest degree my former conduct, yet when an

attachment was once formed between us—and a sincerer one never did exist—I feel that, peculiarly circumstanced as I then was, to have left her uncertain of my situation would neither have weaned her affections, nor lessened her anxiety; and looking upon her as one, whom, if I had lived, I hoped to have had my partner for life, I did hold the removing her anxiety above every other consideration. I would rather have had the affections of your daughter in the back settlements of America, than the first situation this country could afford without them. I know not whether this will be any extenuation of my offence—I know not whether it will be any extenuation of it to know, that if I had that situation in my power at this moment, I would relinquish it to devote my life to her happiness—I know not whether success would have blotted out the recollection of what I have done—but I know that a man, with the coldness of death on him, need not be made to feel any other coldness, and that

he may be spared any addition to the misery he feels not for himself, but for those to whom he has left nothing but sorrow*."

FROM THE SAME TO RICHARD CURRAN, ESQ.

"MY DEAREST RICHARD,

"I find I have but a few hours to live, but if it was the last moment, and that the power of utterance was leaving me, I would thank you from the bottom of my heart for your generous expressions of affection and forgiveness to me. If there was any one in the world in whose breast my death might be supposed not to stifle every spark of resentment, it might be you—I have deeply injured you—I have injured the happiness of a sister that you love, and who was formed to give hap-

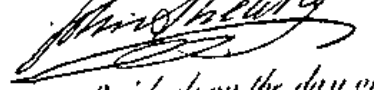
* The original, from which the above has been copied, is not signed or dated. It was written in the interval between Mr. Emmet's conviction and execution.

Facsimile of M'Cavan's handwriting. Extract from a private letter.

Some more lies from the Continent!! Another victory.
three legs of Bonaparte shot away. The fourth just very precarious
I really suspect that you have been hoaxing and bit-
ting by for they'll believe anything even the attempt made by
the most respectable letter from Gottingen.
Farewell.

Facsimile of the hand writing of John Sheares. Extract from a paper sent by him to one of his Witnesses.

Witness will prove that in all his conversations with the
Pris.r John, he never discovered an aversion to Bloodshed & violence,
& believes him incapable of favoring Revolution or Invasion: Knows
that the same opinion is entertained of him by all their common
Acquaintance, by whom Pris.r is much esteemed.—



Facsimile of the first and last sentences of a letter written by Mr. Robert Emmet at 2 o'clock on the day of his Execution. [illegible]

I find I have but a few hours to live but if it was the
last moment & that the power of utterance was leaving me I would thank you from
the bottom of my heart for your generous expressions of affection & forgiveness to me
God bless you my dearest Pill I am obliged to
leave off immediately. Robt Emmet.

Published April 20th 1803 by A. Constable & Co. Edinburgh.

piness to every one about her; instead of having her own mind a prey to affliction. Oh! Richard, I have no excuse to offer, but that I meant the reverse; I intended as much happiness for Sarah as the most ardent love could have given her. I never did tell you how much I idolised her:—it was not with a wild or unfounded passion, but it was an attachment increasing every hour, from an admiration of the purity of her mind, and respect for her talents. I did dwell in secret upon the prospect of our union. I did hope that success, while it afforded the opportunity of our union, might be the means of confirming an attachment, which misfortune had called forth. I did not look to honours for myself—praise I would have asked from the lips of no man; but I would have wished to read in the glow of Sarah's countenance that her husband was respected. My love, Sarah! it was not thus that I thought to have requited your affection. I did hope to be a prop round which your affections might have clung, and which would never

have been shaken; but a rude blast has snapped it, and they have fallen over a grave.

"This is no time for affliction. I have had public motives to sustain my mind, and I have not suffered it to sink; but there have been moments in my imprisonment when my mind was so sunk by grief on her account, that death would have been a refuge.

"God bless you, my dearest Richard. I am obliged to leave off immediately.

"ROBERT EMMET."

This letter was written at twelve o'clock on the day of Mr. Emmet's execution, and the firmness and regularity of the original hand-writing contain a striking and affecting proof of the little influence which the approaching event exerted over his frame. The same enthusiasm which allured him to his destiny, enabled him to support its utmost rigour. He met his fate with unostentatious fortitude; and although few could ever think of justifying his projects

or regretting their failure, yet his youth, his talents, the great respectability of his connexions, and the evident delusion of which he was the victim, have excited more general sympathy for his unfortunate end, and more forbearance towards his memory, than is usually extended to the errors or sufferings of political offenders.

CHAPTER VI.

Mr. Curran appointed Master of the Rolls in Ireland—His literary projects—Letter to Mr. M'Nally—Account of a visit to Scotland in a letter to Miss Philpot—Letter to Mr. Leslie—Letters to Mr. Hetherington.

*Upon the death of Mr. Pitt, the political party with whom Mr. Curran had so long been acting having come into office, he was appointed Master of the Rolls in Ireland, and a member of the privy council†. With this appointment he was

* In the interval between 1803 and the period of his elevation to the bench (1806), Mr. Curran farther distinguished himself at the bar in the case of Massey against the Marquis of Headfort (July, 1804), and in the case of Mr. Justice Johnson (February, 1805). His speeches upon those occasions are among his most vigorous efforts; but ample specimens of his forensic eloquence having been already introduced, the reader is referred to the published collection.

† Upon this occasion the Irish bar convened a meeting, and voted the following address to Mr. Curran:—

dissatisfied at the time, and he never became entirely reconciled to it. It imposed

"SIR,—In your recent appointment to a high and dignified situation, the first pride of the Irish bar feels itself gratified, that independent spirit, pre-eminent talents, and inflexible integrity have recommended their possessor to the royal favour, and procured his advancement to the bench of justice.

"Yes, Sir, we trust that the lustre which shone upon your distinguished progress as an advocate will beam with a milder but more useful influence from the bench; and that the unbiassed, impartial, and upright judge will be found in the person who exalted the character of the Irish bar, by his eloquence, and uniformly supported the rights and privileges of an honourable profession."

MR. CURRAN'S ANSWER.

"GENTLEMEN,—I thank you from my heart for this proof of your confidence and affection. The approving opinion of so enlightened and independent a body as the Irish bar would be a most valuable reward of merit much superior to mine, which I am conscious has gone little beyond a disposition, but I trust an honest and ardent disposition, so to act in my public and professional characters, as not to be altogether unworthy of the name of an Irishman of that disposition. I receive your kind commendation with pride. I feel that probity of intention is all that we can be reponsible for.

"I am peculiarly gratified by the flattering attestation you are pleased to bestow on my endeavours to support

upon his mind a necessity of unaccustomed labour and unaccustomed restraint, to which opposite habits of so many years did not allow him easily to submit. Whatever might be its dignity or emolument, it had no political consequence; and therefore, to him, who had acted such a part in the history of his country, it seemed rather like a compensation for former services, than as a means of taking that honourable share to which he felt himself intitled, in an administration that promised such benefits to Ireland. These sentiments of disgust, in which he perhaps indulged to an unreasonable excess, disturbed the friendship which had so long subsisted be-

the privileges of our profession. They are vitally and inseparably connected with the enjoyment of constitutional liberty and the effectual administration of justice. The more active part which I may have taken in the defence of these privileges I bequeath to you, but be assured that I bring with me, to the situation where it has been the pleasure of his majesty to place me, the most perfect conviction, that in continuing to maintain them, I shall co-operate with you in the discharge of one of the most important duties that can bind us to our country.

tween him and the late Mr. George Ponsonby, whom Mr. Curran considered as having, by his acquiescence in his appointment to the Rolls, attended to his nominal interests at the expense of his feelings and his reputation. In this opinion, however encouraged by some subsequent circumstances, it is due to the memory of Mr. Ponsonby, to state, that Mr. Curran was mistaken. Mr. Ponsonby made no such intentional sacrifice of his friend. He imagined that he was observing, with the strictest honour, the spirit of every former engagement, although it cannot be too much lamented that he should have withheld all explanation on the subject, until a mutual alienation had taken place, which no explanation could recall. The impression was never removed from Mr. Curran's mind, that he had, upon this occasion, been unkindly treated; but it is pleasing to observe, that his resentment was softened and finally subdued by the recollection of his former regard and respect. He visited Mr. Ponsonby in his last illness, and after

his lamented death, took every opportunity of dwelling upon his virtues, and attesting the claims, which the long and disinterested services of himself and his family had given their name to the gratitude of their country.

The remaining years of Mr. Curran's life contain little of incident. His time was passed without much variety between the duties of his judicial situation, and the enjoyment of that social intercourse for which his taste continued undiminished to the last. It was observed by his friends, to whom he was an object of so much interest, that the slightest circumstance connected with him attracted their attention, that his spirits began to decline from the moment of his elevation to the bench. He felt sensible himself, that the sudden discontinuance of those modes of intellectual exercise, which an uninterrupted habit of so many years had rendered almost a necessary of life, was impairing the health of his mind. All his powers were still in their fullest vigour, and he could not but

feel discontented and mortified at finding them (not so much released from toil as) condemned to repose. In the hope of removing this inquietude by indulging his faculties in their accustomed tastes, he began to project one or two literary works. One of them, and which it is much to be regretted that he had not the firmness to execute, was memoirs of his own time; but all the intreaties of his friends, and all his own resolutions, gave way before his unconquerable aversion to written compositions.—The only notice of this intended work found among his papers, was the following motto and preface:

"You that propose to be the historian of yourself, go first and trace out the boundary of your grave—stretch forth your hand, and touch the stone that is to mark your head, and swear by the Majesty of Death; that your testimony shall be true, unwarped by prejudice, unbiassed by favour, and unstained by malice; so mayest thou be a witness not unworthy to be examined before the awful tribunal of

that after time, which cannot begin, until you shall have been numbered with the dead.

"I have frequently conceived the design of writing some memoirs of myself, and of the times in which I have lived, but I have been prevented by other avocations, not very compatible with such a purpose. I was also deterred by the great hazard to which every man is exposed who ventures to take himself for a subject. What security can he offer to himself or to his reader against the glosses and perversions of false modesty and vain glory? How can he satisfy either that he is not an advocate, when he should be only a reporter? As to the strange and wayward destinies that have agitated this unhappy country during the interval I speak of—when I recollect the strong incitement that I felt as an observer or an actor, can I hope to subside into that unfevered moderation, without which I can scarcely be competent to the task of reviewing or recording them? And yet, perhaps, in my strong feeling of the

difficulty and the danger, there may be some hope of escape. The consciousness may be some safeguard against myself, and the fairness of the avowal will naturally prevent the reader from following me when I am led astray. I have therefore resolved to make some attempt upon the subject, in such intervals of health or of leisure as I may be able to command; pursuing it in that way, I cannot hope for much minuteness of detail, or much exactness of connexion. But, however imperfect the performance may be, and indeed must be under such circumstances, yet if it shall contribute to preserve the memory of some acts, and of some actors, that ought not to perish, but should be preserved for the purposes of praise or punishment or example, my labour, however humble, will not be without its use."

He thus alludes to the same subject in one of his private letters.

"I have long thought of doing something on the time in which I have myself lived, and acted, and suffered; from the

bringing Ireland, in 1782, from the grave in which she had slept for so many centuries, to her re-interment in 1800; after so short an interval of hectical convalescence, and of hope so cruelly and effectually assailed and extinguished, probably for ever! This must of necessity draw me to collateral notice of myself in some small and very subordinate degree—the few events that befel myself—and the sentiments and opinions that I entertained upon public affairs, together with the notions that I formed as a public and professional man. Perhaps the strong terror which I anticipate at the possible seductions of silly vanity and egotism may be some antidote against their poison. And yet perhaps, on this very point, my present feeling should convince me how little I have to hope from my own caution or discretion. I am conscious that I feel uneasy at thinking that the fooleries and falsehoods that have been published as memoirs of me during my life, will be more wantonly repeated when I am gone, which

must be soon. And though I now think my only idea is to leave behind me some little postscript, merely to prevent misrepresentation, and modestly confining itself within the extreme insignificance of the subject, who, my dear Dick, will go bail for the quill that is born of a goose?"

Another and a more favourite design, which the same distaste to writing involved in a similar fate, was the composition of a novel, of which the scenes and characters were to be connected with the modern history of Ireland. Of this work, which since the period of the Union he had been meditating, his mind had completed the whole plan: he often repeated long passages, descriptive of the most interesting situations, and marked by a style of affecting eloquence which would have rendered the work, had he submitted to the task of committing it to paper, a valuable and very original accession to that department of English literature.

However, although subsequent to Mr

Curran's leaving the bar, his mind produced little that could add to his previous reputation, there still remin many farther examples of his style and opinions, preserved in his letters on private and public subjects, and in occasional speeches, from which a selection shall be introduced in the remaining portion of his history. The greater number of the private letters are written from England, which, notwithstanding his constant complaints against what he considered the cold unsocial manners of its people, he seized every opportunity of visiting, and seldom quitted without reluctance and despondency. This was particularly the case since the Union, of which the effects had been so fatal to the society of the Irish capital.

TO LEONARD M'NALLY, ESQ. DUBLIN.

"Godwin's, 41, Skinner-street, London.

"DEAR MAC,

"I got the cover yesterday, thinking to write a very long wise letter to you;

now I have only the few moments that G.'s griskin takes to be burnt. Poor Tooke is, I fear, at his last. A singular man! One glory he has eminently—he has been highly valued by many good men of his day, and persecuted by almost every scoundrel that united the power with the will to do so. His talents were of the first stamp, his intellect most clear, his attachment to England, I think, inflexible, his integrity not to be seduced, and his personal courage not to be shaken. If this shall be admitted, he has lived long enough; and if it is not, he has lived too long.

"My health is much better; my breast quite free, the pain gone, my appetite rather better, sleep not so profound, spirits flatter, temper more even, altogether some gainer by the reduction of wine. At your side, I understand, my good friends have Sangradoed me, but I have taken only the water, no bleeding for me. I have written to Amelia; that may save you some three pages, which might be blank and written at the same time. I

would beg a line, but I shall have set out too soon to get it. No news here, but what the papers give you; they are all mad about the convention; I differ from them totally, as I feel a disposition to do on every subject.

"I am glad to hear you are letting yourself out at Old Orchard; you are certainly unwise in giving up such an inducement to exercise, and the absolute good of being so often in good air. I have been talking about your habit without naming yourself. I am more persuaded that you and Egan are not sufficiently afraid of weak liquors. I can say, from trial, how little pains it costs to correct a bad habit. On the contrary, poor nature, like an ill-used mistress, is delighted with the return of our kindness, and is anxious to shew her gratitude for that return, by letting us see how well she becomes it.

"I am the more solicitous upon this point from having made this change, which I see will make me waited for in heaven longer than perhaps they looked for. If

you do not make some pretext for lingering, you can have no chance of conveying me to the wherry; and the truth is, I do not like surviving old friends. I am somewhat inclined to wish for posthumous reputation; and if you go before me, I shall lose one of the most irreclaimable of my trumpeters; therefore, dear Mac, no more water, and keep the other element, your wind, for the benefit of your friends. I will shew my gratitude as well as I can, by saying handsome things of you to the saints and angels before you come. Best regards to all with you.

"Yours, &c.

"J. P. C."

"TO MISS PHILPOT, DUBLIN.

"Loudon Castle (Scotland) Sept. 12, 1810.

"The day is too bad for shooting, so I write. We arrived in miserable weather at Donaghadee; thence we set sail for the Port, where, after a prosperous voyage of ten hours, we arrived. Two English gen-

tlemen had got before us to the inn, and engaged four horses, all there were; two might have drawn them one very short stage, and they saw us prepare to set out in a cart, which we did, and I trust with a cargo of more good manners and good humour aboard us than the two churls could boast in their chaise and four.

"I was greatly delighted with this country; you see no trace here of the devil working against the wisdom and beneficence of God, and torturing and degrading his creatures. It seems the romancing of travelling; but I am satisfied of the fact, that the poorest man here has his children taught to read and write, and that in every house is found a bible, and in almost every house a clock; and the fruits of this are manifest in the intelligence and manners of all ranks. The natural effect of literary information, in all its stages, is to give benevolence and modesty. Let the intellectual taper burn ever so brightly, the horizon which it lights is sure but scanty; and if it soothes our vanity a little,

as being the circle of our light, it must check it also, as being the boundary of the interminable region of darkness that lies beyond it. I never knew any person of any real taste and feeling, in whom knowledge and humility were not in exact proportion. In Scotland what a work have the four and twenty letters to shew for themselves!—the natural enemies of vice, and folly, and slavery; the great sowers, but the still greater weeders, of the human soil. Nowhere can you see the cringing hypocrisy of dissembled detestation, so inseparable from oppression: and as little do you meet the hard, and dull, and right lined angles of the southern visage; you find the notion exact and the phrase direct, with the natural tone of the Scottish muse.

"The first night, at Ballintray, the landlord attended us at supper: he would do so, though we begged him not. We talked to him of the cultivation of potatoes. I said, I wondered at his taking them in place of his native food, oatmeal,

so much more substantial. His answer struck me as very characteristic of the genius of Scotland—frugal, tender, and picturesque. 'Sir,' said he, 'we are not so much i' the wrong as you think; the tilth is easy, they are swift i' the cooking, they take little fuel; and then it is pleasant to see the gude wife wi' a' her bairns aboot the pot, and each wi' a potatoe in its hand.'

"We got on to Ayr. It was fortunate; it was the last day of the rain and the first of the races; the town was unusually full, and we stood at the inn door—no room for us. 'My dear Captain *,' said I, 'I suppose we must lie in the streets.' 'No, that you shall not,' says a good-looking man—it was Campbell of Fairfield—'my wife and I knew you were coming, and we have a warm bed ready for you; she is your countrywoman, and I am no stranger to you; I had a trial in Dublin eight years ago, and you

* The late Joseph Atkinson, Esq. of Dublin.

were in the cause.' 'Oh! yes, Sir, I remember; we beat the enemy.' 'Oh! yes, Sir,' says Campbell of Fairfield, 'I beat the enemy, though you were at his head.' I felt my appetite keen. I was charmed with the comical forgiveness of his hospitality. I assured him I heartily forgave him for threshing my rascal client; and a few moments brought me to the kind greeting of my very worthy countrywoman. They went a little aside, and I overheard their whispers about dinner. Trouble, you may suppose, I did not wish to give; but the feeling of the possible delay by an additional dish, was my panic. 'My dear madam, I hope you won't make me feel that I am not one of your family, by adding any thing.' 'No, that I won't,' says she; 'and if you doubt my word, I'll give you the security of seven gentlemen against any extravagance.' So saying, she pointed to a group of seven miniatures of young men, that hung over the fire-place. 'Six of those poor fellows are all over the earth;

the seventh, and these two little girls, are with us; you will think that good bail against the wickedness of extravagance. Poor fellows!' she repeated. 'Nay, madam, don't say 'poor fellows;' at the moment when you feel that hospitality prevents the stranger from being a poor fellow, you don't think this the only house in the world where the wanderer gets a dinner and a bed; who knows, my dear countrywoman, but Providence is at this moment paying to some of your poor fellows far away from you, for what your kind heart thinks it is giving for nothing.' 'Oh! yes,' cried she: 'God bless you for the thought.' 'Amen, my dear madam,' answered I; 'and I feel that he has done it.'

"We were much pleased with the races; not, you may suppose, at a few foolish horses forced to run after each other, but to see so much order and cheerfulness; not a single dirty person nor a ragged coat. I was introduced to many of their gentry, Lord Eglington, Lord.

Casselis, Lord Archibald Hamilton, &c. and pressed very kindly to spend some time with them.

"Poor Burns!—his cabin could not be passed unvisited or unwept; to its two little thatched rooms—kitchen and sleeping place—a slated sort of parlour is added, and 'tis now an alehouse. We found the keeper of it tipsy; he pointed to the corner on one side of the fire, and, with a most *mal-à-propos* laugh, observed, 'there is the very spot where Robert Burns was born.' The genius and the fate of the man were already heavy on my heart; but the drunken laugh of the landlord gave me such a view of the rock on which he foundered, I could not stand it, but burst into tears.

"On Thursday we dine with Lord Eglington, and thence I hope to pursue our little tour to Lochlomond, Glasgow, Edinburgh, &c. These places are, at this time of the year, much deserted: however we shan't feel it quite a solitude; and, at all events, public buildings,

&c. do not go to watering-places, so that still something will be visible. In this region the winter is always mild, but the rain is almost perpetual, and still worse as you advance to the north. An Englishman said to an Highlander, 'Bless me, Sir, does it rain for ever?' The other answered—'Oh! nay, Sir, it snaws whiles.'

"See what a chronicle I have written, &c. &c.

"J. P. C."

The preceding is not the only record that Mr. Curran has left of his admiration of Scotland. His defence of Mr. Hamilton Rowan contains a short but glowing eulogium upon the genius of that country, for whose splendid services in the cause of the human mind no praises can be too great. After speaking of the excessive terror of French principles, by which juries were governed in their verdicts, he proceeded:—"There is a sort of aspiring and adventurous credulity, which disdains assenting to obvious truths, and delights in catching at the improbability

of circumstances, as its best ground of faith. To what other cause can you ascribe that in the wise, the reflecting, and the philosophic nation of Great Britain, a printer has been gravely found guilty of a libel, for publishing those resolutions to which the present minister of that kingdom had actually subscribed his name? To what other cause can you ascribe what, in my mind, is still more astonishing;—in such a country as Scotland —a nation cast in the happy medium between the spiritless acquiescence of submissive poverty and the sturdy credulity of pampered wealth—cool and ardent—adventurous and persevering—winging her eagle flight against the blaze of every science, with an eye that never winks and a wing that never tires—crowned as she is with the spoils of every art, and decked with the wreath of every muse, from the deep and scrutinizing researches of her Hume to the sweet and simple, but not less sublime and pathetic, morality of her Burns—

how from the bosom of a country like that, genius, and character, and talents, should be banished to a distant barbarous soil, condemned to pine under the horrid communion of vulgar vice and base-born profligacy, for twice the period that ordinary calculation gives to the continuance of human life*?"

"TO PETER LESLIE, ESQ. DUBLIN.

"Cheltenham, Sept. 11, 1811.

"DEAR PETER,

"Don't open this till the little circle of our Hirish friends are together. You will be all glad to hear that an old friend is yet in the harbour of this stormy world, and has not forgotten you: in truth, it is only that sentiment that troubles you with this worthless despatch; but small as its value may be, it is worth at least what

* Mr. Curran alludes to the sentence of Mr. Muir, Palmer, &c. who had been transported for sedition.

it costs you. I don't think these waters are doing me any good—I think they never did; they bury my poor spirits in the earth. I consulted yesterday evening (indeed chiefly to put so many moments to a technical death) our countryman B., a very obstinate fellow: though I paid him for his affability, and his 'indeed, I think so too, Mr. Shandy,' I could not work him into an admission that I had any malady whatsoever, nor even any to hope for by continuing the intrigue with Mrs. Forty*: so I have a notion of striking my tent, and taking a position behind the Trent, at Donington†. During my stay here I have fallen into some pleasant female society; but such society can be enjoyed only by those who are something at a tea-table or a ball. Tea always

* The person who dispensed the waters at Cheltenham. Some extracts from an unfinished poem, addressed by Mr. Curran to this lady, will be found at the end of the volume.

† The seat of Lord Moira.

makes me sleepless; and as to dancing, I tried three or four steps that were quite the cream of the thing in France at one time, and which cost me something. I thought it might be the gaiters that gave them a piperly air; but even after putting on my black silk stockings, and perusing them again before the glass, which I put on the ground for the purpose of an exact review, I found the edition was too stale for re-publication.

"The cover of this contains a list of all the politicians now in Cheltenham, and therefore you must see that I am out of work as well for my head as my heels. Even the newspapers seem so parched by the heat of the season, which is extreme, as to have lost all vegetation. In short, I have made no progress in any thing except in marketing, and I fancy I can cast a glance upon a shoulder of Welsh mutton with all the careless indecision of an unresolved purchaser, and yet with the eye of a master; so I have contrived to have

two or three at five o'clock, except when I dine abroad, which I don't much like to do.

"If you remember our last political speculations, you know all that is to be known; and that all being just nothing, you cannot well forget it. The smoke is thickest at the corners farthest from the chimney, and therefore near the fire we see a little more distinctly*; but as things appear to me, I see not a single ticket in the wheel that may not be drawn a blank, poor Paddy's not excepted. To go back to the fire—each party has the bellows hard at work, but I strongly suspect that each of them does more to blind their rivals, and themselves too, by blowing the ashes about, than they do in coaxing or cherishing the

* This familiar image, almost similarly applied, was the subject of some perplexity to Dr. Johnson.—"Roscommon, foreseeing that some violent concussion of the state was at hand, purposed to retire to Rome, alleging, *that it was best to sit near the chimney when the chamber smoked*, a sentence of which the application seems not very clear."—*Life of Roscommon.*

blaze for the comfort or benefit of their own shins. Therefore, my dear Peter, though we have not the gift of prophecy, we have at least the privilege of praying. There is no act of parliament that takes away the right of preferring a petition to heaven; and therefore, while it yet is lawful, I pray that all may end well, and that we may have an happy escape from knaves and fools. In that hope there is nothing either popish or seditious. To-morrow I go to Gloucester, to the music-meeting, and then I think Mrs. Forty and I shall take the embrace of an eternal adieu. Do not forget me to all our dear friends about you, and assure them that, however kindly they may remember me, I am not, as far as grateful recollection can go, in their debt. God grant we may all meet again in comfort here, or in glory somewhere else.

"Yours, dear Peter,

"Very truly yours,

"JOHN P. CURRAN."

TO RICHARD HETHERINGTON, ESQ.*
DUBLIN.

"London, 1811.

"DEAR DICK,

"I write merely to say that I am alive. Never any thing so dull as this place; I shall soon steer towards you. You must know, I have been requested by a great sculptor to sit for him, and we are now employed in making a most beautiful head in mud, which is to be the model for a piece of immortal Parian marble. Is that a small style of going, Dick? Having now disposed of what was most important, we come to smaller affairs—politics and war. Wellington has been obliged to give up Rodrigo, and retire westward; I suppose, to eat his Christmas pies at his old quarters in Torres Vedras, to which every hundred pounds that is sent to him costs only one

* This gentleman held the situation of deputy keeper of the Rolls under Mr. Curran; all of whose letters in his possession he has kindly communicated for insertion in this work.

hundred and forty pounds here. As to politics, they seem quite relinquished by every one: nobody expects any material change of men or measures; nor in truth do I see any thing in the present state of things that can't be done as well by one set as another. I have little doubt that Perceval is as warlike a hero as Grenville, and just as capable of simplifying our government to the hangman and the tax-gatherer.—I am just interrupted; so, God bless you.

"J. P. CURRAN."

"TO THE SAME.

"Holland House, 1811.

"DEAR DICK,

"The allurement of a frank gives you this. Here I am, much better I think—all lonely. Burton here for a week—almost every body else away. I am scarcely sorry for having come, one gets out of print; however, I have scarcely to complain, I find myself quite a proof

copy. Dear Dick, a man loves to be cockered a little; and certainly I am not stinted here. I suspect it is all affectation when I talk cheaply of the great and the grand; for instance, I went to pay my devoirs to Lady D—, who was very kind; also to Lady A—, who was vastly gracious; also Godwin, as also Lord Holland. To-morrow I shall think of Denis O'Bryen and the Duke of Sussex; 'twill be well if I don't forget you and the hill, while I remember

"J. P. C."

"Some more lies from the continent:—another victory—three legs of Bonaparte shot away, the fourth foot very precarious. I really suspect that you have been here *incog.*, and bit every body; for they will believe nothing, even though authenticated by the most respectable letters from Gottingen. Farewell.

"J. P. CURRAN."

TO THE SAME.

"London, October 12, 1811.

"DEAR DICK,

"I look forward to being very domestic for the winter. I feel my habits and feelings much upon the change; it puts me in mind of a couple of bad verses of my own growth,

> And the long train of joys that charm'd before,
> Stripp'd of their borrow'd plumage, charm no more.

I am weak enough to indulge in a conceited contrition for having done nothing, and the penitential purpose of doing something before I die. God help us! how poor the vanity that self-accuses us of wasting funds that never existed, and draws for compensation upon the time that we are not destined to see! or upon efforts that we have not strength to make! You will think it odd that here in London I should be very studious; but so it has been. I have been always prone to metaphysical and theological subjects, though I well know the uncertainty and fruitless-

ness of such researches; however, I think to call another cause, and adjourn that, till I go thither where all must be plain and clear—where the evidence must be solid, and the judgment infallible.

"I have been only at one play, and that in company with the author, Moore. I sleep three or four nights in the week in the country; so that in Ireland I look to be very good—like an old bachelor who proposes to marry, and take the benefit of an insolvent act.

"There is still no news here—people seem almost sick of conjecturing. As to my part, if I have any opinion, it is that a change would be only partial. The public undoubtedly have no enthusiasm for the outs, and Perceval unquestionably has risen much. In the City they think him a man of probity and of business, which they think much better than high and lofty tumbling. As to our miserable questions, they are not half so interesting as the broils in the Caraccas. What a test of the Union! And what a proof of the apathy of this

blind and insolent country! They affect to think it glorious to struggle to the last shilling of their money, and the last drop of our blood, rather than submit their property and persons to the capricious will of France; and yet that is precisely the power they are exercising over us—the modest authority of sending over to us laws, like boots and shoes ready made for exportation, without once condescending to take our measure, or ask whether or where they pinch us.

"But enough, I think, of religion and politics. . . .

"J. P. C."

CHAPTER VII.

Mr. Curran is invited to stand for the borough of Newry —Speech to the electors—Letter to Sir J. Swinburne —Letter on Irish affairs to H. R. H. the Duke of Sussex.

FROM the period of Mr. Curran's elevation to the bench, his friends had been very desirous to see him a member of the British parliament. Independent of the service which they expected that his zeal and talents might render to Ireland, there mingled with their feelings on this subject a sentiment of national pride. His parliamentary abilities they considered as having been greatly underrated; notwithstanding the extensive circulation of his reported speeches, the admiration they had met in England was cold in comparison to the enthusiastic applause which their delivery had excited at home. They were there-

fore anxious that he should have an opportunity, before age or death should render it impossible, of justifying their preference, and confirming his own reputation by even a single display, before such an audience as the British senate, of those powers which his countrymen had so long been extolling as unrivalled.

These reasons, particularly the sense of duty, were frequently urged upon him, but with little effect. The only question, upon which it seemed to him that he could be useful, was that of catholic emancipation; and even here he could not venture to be sanguine. When he recollected that his illustrious friend Mr. Grattan, who had made that question almost the business of a long life, was still (though supported by so much of the most exalted rank and talent in the British empire) vainly exerting his splendid abilities to drive or shame the bigot from his post, Mr. Curran feared that the accession of any strength that he possessed would prove of little value to the

cause. The motives of personal vanity or ambition had still less influence. It is not surprising that he, who in the season of ardour and hope had been so negligent of fame, should continue equally indifferent, now that these incentives to action were passing or had passed away.

Such were his feelings (too full perhaps of despondency and indolence) when, upon the general election in 1812, the independent interest of the town of Newry proposed to elect him their member. A deputation from that borough having waited upon him for the purpose, he accepted the invitation, and repaired to Newry; but after a contest of six days, perceiving that the strength of the other candidate (General Needham) left him no prospect of success, he declined any farther struggle*.

* The feelings with which Mr. Curran accepted the invitation appear in his answer.

"TO THE WORTHY AND INDEPENDENT ELECTORS OF THE BOROUGH OF NEWRY.

"GENTLEMEN,—I have just received an address, signed by a number of highly respectable members of

Upon this occasion, Mr. Curran delivered a speech of considerable length. It was his last great public effort, and was characterised by the same energy and fancy,

your ancient borough, inviting me to offer myself a candidate to represent your town in parliament. To be thought worthy of such a trust, at so awful a crisis as the present, and to receive such an invitation, unsolicited and unexpected, is an honour that I feel deeply and gratefully.

"Gentlemen, I need not trouble you with many words. You know my principles, you know my conduct heretofore—I am not a stranger coming forward to menace, or to buy you, in order that I may sell you; nor do I rest my pretension on any contrition for the past, nor any premeditated promise that I will at some future period begin to act honestly by you. From the earliest period of my life to see this ill-fated country retrieve from her sad condition of suffering and of shame has been the first and warmest wish of my heart, and warm it shall continue, till I myself am cold for ever.

"I know you will not impute it to a want of the most profound respect for you, when I say that I will not personally solicit the vote of any individual. I cannot run the risk of soliciting a suitor in the character of an elector —it would not befit my judicial situation, and I think it would diminish that credit, which suffrage above all suspicion of bias, ought to give to your representative. It will therefore be sufficient that I attend you in such time

and the same spirit of patriotic enthusiasm, which reign in all his former productions. After stating to the electors of Newry the circumstances under which he had been induced to appear among them, and the condition of the borough, which had baffled the exertions of his friends, Mr. Curran proceeded to impress upon his hearers that the long train of sufferings which Ireland had endured for centuries had originated in the dissension of her people, and that whatever of them remained could only be removed by mutual toleration. "Under this sad coalition of confederating dissensions, nursed and fomented by the policy of England, this devoted country has continued to languish with small fluctuations of national

before the election as will enable me to know your farther pleasure.

"I have the honour to be, Gentlemen, with a full sense of your confidence and favour,

"Your obedient servant,

"JOHN PHILPOT CURRAN.

"*Stephen's Green, October* 8, 1812."

destiny, from the invasion of the second Henry to the present time. And here let me be just while I am indignant; let me candidly own that to the noble examples of British virtue, to the splendid exertions of British courage, to their splendid sacrifices, am I probably indebted for my feelings as an Irishman and my devotion to my country. They thought it madness to trust themselves to the influence of any foreign country; they thought the circulation of the political blood could be carried on only by the action of the heart within the body, and could not be injected from without. Events have shewn you that what they thought, was just; and that what they did, was indispensable: they thought they ought to govern themselves—they thought that at every hazard they ought to make the effort—they thought it more eligible to perish than to fail; and to the God of Heaven I pray that the authority of so splendid an example may not be lost upon Ireland."

After describing the condition of Ireland

subsequent to the revolution, Mr. Curran continued:—"At length, in 1782, a noble effort was made, and deathless ought to be the name of *him** that made it, and deathless ought to be the gratitude of the country for which it was made—the independence of Ireland was acknowledged. Under this system of asserted independence, our progress in prosperity was much more rapid than could have been expected, when we remember the conduct of a very leading noble person upon that occasion—never was a more generous mind or a purer heart—but his mind had more purity than strength. He had all that belonged to taste, and courtesy, and refinement; but the grand and the sublime of national reform were composed of colours too strong for his eye, and comprised an horizon too outstretched for his vision†. The catholics

* Mr. Grattan.

† The person here alluded to was obviously the late Earl of Charlemont; but though that nobleman originally opposed the claims of the Roman catholics, he had the honour in his latter years of rising above his early

of Ireland were in fact excluded from the asserted independence of their country. Thus far the result comes to this, that wherever perfect union is not found, complete redress must be sought in vain.

Passing on to the Union, Mr. Curran proceeded,—"The whole history of mankind records no instance of any hostile cabinet, perhaps even of any internal cabinet, actuated by the principles of honour or of shame. The Irish catholic was therefore taught to believe, that if he surrendered his country he would cease to be a slave. The Irish protestant was cajoled into the belief, that if he concurred in the surrender, he would be placed upon the neck of an hostile faction. Wretched dupe!—You might as well persuade the gaoler that he is less a prisoner than the captives he locks up, merely because he carries the key in

prejudices; he has also made Ireland amends for the delay, in having left a representative of his house, and of his more matured opinions, from whom all that his country can demand is that *he* may never change his present principles and conduct.

his pocket. By that reciprocal animosity, however, Ireland was surrendered; the guilt of the surrender was most atrocious —the consequences of the crime most tremendous and exemplary. We put ourselves into a condition of the most unqualified servitude—we sold our country, and we levied upon ourselves the price of the purchase—we gave up the right of disposing of our properties—we yielded to a foreign legislature to decide whether the funds necessary to their projects or their profligacy should be extracted from us, or be furnished by themselves; the consequence has been, that our scanty means have been squandered in her internal corruption as profusely as our best blood has been wasted in the madness of her aggressions, or the feeble folly of her resistance. Our debt has accordingly been increased more than tenfold—the common comforts of life have been vanishing—we are sinking into beggary—our poor people have been worried by cruel and unprincipled prosecutions, and the instruments of our go-

vernment have been almost simplified into the tax-gatherer and the hangman. At length, after this long night of suffering, the morning star of our redemption cast its light upon us, the mist was dissolved, and all men perceived that those whom they had been blindly attacking in the dark were in reality their fellow sufferers and their friends. We have made a discovery of the grand principle in politics, that the tyrant is in every instance the creature of the slave—that he is a cowardly and a computing animal—and that in every instance he calculates between the expenditure to be made and the advantage to be acquired. And I therefore do not hesitate to say that if the wretched Island of Man, that *refugium peccatorum*, had sense and spirit to see the force of this truth, she could not be enslaved by the whole power of England. The oppressor would see that the necessary expenditure in whips, and chains, and gibbets, would infinitely countervail the ultimate value of the acquisition; and it is owing to the ignorance of this unquestion-

able truth, that so much of this agitated globe has, in all ages, been crawled overby a Manx population. This discovery Ireland at last has made. The catholic claimed his rights—the protestant generously and nobly felt as he ought, and seconded the claim; a silly government was driven to the despicable courage of cowardice, and resorted to the odious artillery of prosecutions—the expedient failed: the question made its way to the discussion of the senate—I will not tire you with a detail. An house of commons who, at least, represented themselves, perhaps afraid, perhaps ashamed of their employers, became unmanageable tools in the hands of such awkward artists, and were dissolved; just as a beaten gamester throws the cards into the fire in hopes in a new pack to find better fortune."

A little farther on Mr. Curran, again adverting to the circumstances of the election, was interrupted by the other candidate's agent: when that person was made to sit down, Mr. Curran resumed. "I do not

wonder at having provoked interruption when I spoke of your borough. I told you that from this moment it is free. Never in my life have I so felt the spirit of the people as among you; never have I so felt the throbs of returning life. I almost forgot my own habitual estimate of my own small importance; I almost thought it was owing to some energy within myself, when I was lifted and borne on upon the buoyant surge of popular sympathy and enthusiasm. I therefore again repeat it, it is the moment of your new birth unto righteousness. Your proved friends are high among you—your developed enemies are expunged for ever—your liberty has been taken from the grave, and if she is put back into the tomb, it can be only by your own parricide, and she must be buried alive.

"Ireland (said he, towards the conclusion of his address) can do more for herself now than she has done for centuries heretofore. She lay a helpless hulk upon the water; but now, for the first time, we

are indebted to the protestant spirit for the delicious spectacle of seeing her equipped with masts, and sails, and compass, and helm;—at length she is sea-worthy. Whether she is to escape the tempest and gain the port is an event to be disposed of by the great ruler of the waters and the winds. If our voyage be prosperous, our success will be doubled by our unanimity; but even if we are doomed to sink, we shall sink with honour. But am I over sanguine in counting our protestant allies? Your own county gives you a cheering instance in a noble marquis*, retiring from the dissipation of an English court, making his country his residence, and giving his first entrance into manhood to the cause of Ireland. It is not from any association of place that my mind is turned to the name of Moira—to name him is to recognise what your idolatry has given to him for so many years; but a late transaction calls for a word or two. I thought

* The Marquis of Downshire.

anxiously upon it at the time, and from that time to this, if he required to be raised, he must have been raised in public opinion by the event of that negotiation *.

* Mr. Curran had a few weeks before, in an equally public manner, discountenanced the angry feelings with which he found some of his countrymen had regarded the conduct of his noble friend in the recent negotiations for a new administration. At a public dinner given in Dublin to the Bishop of Norwich by the friends of religious freedom, and attended by many the most distinguished for rank and talents in Ireland, Mr. Curran, in addressing the meeting, enumerated the several illustrious persons in the empire, who supported the cause which they were that day celebrating:—"But," said he, "I have not yet mentioned the name, which I was delighted to see you were on the tiptoe of expecting, and which, in whatever order it might be mentioned, you had in your own minds placed in its natural station, at the head of the list—the beloved child of Ireland—the ornament, and consoler, and intrepid defender of his country—the scholar of the camp—the philosopher of the senate—the exalted devotée of that high and unparlying honour, that will bend to no consideration of life, or death, or country, or even of fame; that man who of all others most distinctly sees into your character—your ardent, generous—do not be angry with me—your tender and excitable sensibility—your featherspringed disposability to affectionate and momentary jealousy, which evaporates in the breath that ex-

He saw that the public in either country could not have any hope from an arrangement, in which the first preliminary was a selfish scramble for patronage, that must have ended in a scramble for power; in which the first efforts of patriotism were for the surrender of mopsticks in the palace; to sink the head, and to irritate the man that wore the crown, instead of making their first measure a restitution of representation to the people, who, if they were as strong as they ought to be, could

presses it. He knows it well—he loves you for it—he knows the rapid contrition of its recoil, but he ought not to be wounded nor you humiliated by any formal ceremonial of that contrition. *(Loud applause.)* But I find I am not so bad a painter as I thought; you have made it unnecessary for me to put the name over the picture. May I be permitted to add, that although I have not been altogether unhonoured by some condescending notice from that illustrious and noble person, yet I am too proud to be swayed by any feeling which if merely personal must be despicable, and that it could not add a single pulsation to that energy of affection and respect, with which my heart clings to him as an Irishman."

have nothing to apprehend from the tinsel of a robe or the gilding of a sceptre.

"Little remains for me to add to what I have already said. I said you should consider how you ought to act—I will give you my humble idea upon that point. Do not exhaust the resources of your spirit by idle anger or idle disgust—forgive those that have voted against you here—they will not forgive themselves. I understand they are to be packed up in tumbrils with layers of salt between them, and carted to the election for the county, to appear again in patriotic support of the noble projector of the glories of Walcheren. Do not envy him the precious cargo of the raw materials of virtuous legislation—be assured all this is of use.

"Let me remind you before I go of that precept, equally profound and beneficent, which the meek and modest author of our blessed religion left to the world: 'and one command I give you, that you love one another.' Be assured that of this love the

true spirit can be no other than probity and honour. The great analogies of the moral and the physical world are surprisingly coincident; you cannot glue two pieces of board together unless the joint be clean; you cannot unite two men together, unless the cement be virtue; for vice can give no sanction to compact, she can form no bond of affection.

"And now, my friends, I bid you adieu, with a feeling at my heart that can never leave it, and which my tongue cannot attempt the abortive effort of expressing. If my death do not prevent it, we shall meet again in this place. If you feel as kindly to me as I do to you, relinquish the attestation which I know you had reserved for my departure. Our enemy has, I think, received the mortal blow; but though he reels, he has not fallen; and we have seen too much upon a greater scale of the wretchedness of anticipated triumph. Let me therefore retire from among you in a way that becomes me and becomes you, uncheered by a single voice, and unaccom-

panied by a single man. May the blessing of God preserve you in the affection of one another."

The following letters contain Mr. Curran's farther views upon the state of public affairs in Ireland at this period:

"TO SIR J. SWINBURNE.

"SIR,

"I have just received the honour of your letter. I am very deeply, indeed, impressed by the honour of being thought by the committee not unworthy of the office of steward, at the meeting of the friends of religious freedom.

"If there were no obstacle in my way, but what was within my own controul, most promptly, and with pride and gratitude, would I obey so flattering a summons; but the difficulty is what it does not belong to me to dispense with. The court of Chancery will be sitting on the day of your meeting, and I could not be warranted in leaving my duty here, from

any impulse, however strong, of personal gratitude or respect. I cannot look forward to any probable state of the court, that can leave me to my own disposal; but if such should occur, I shall certainly wait upon you. I am, however, not a little consoled in the reflection, that my absence from such a scene can be regretted only by myself, and that my presence could contribute little, or rather nothing, to the intended result. The sanction of the illustrious personages, who vouchsafe to patronise the meeting, must do much towards its object; and much also must be effected by the high rank and character of others, who I make no doubt will be zealous in following such an example, when the projects of intolerance are disclaimed by the authority of the enlightened and exalted; and when the great mass of the people are permitted to see what cannot be difficult in so reflecting a nation as England, that the cause of tolerance is really that of justice, and prudence, and true Christianity, in which they themselves

are as deeply interested as their fellow-subjects can be. It is not, I trust, too sanguine to hope that practical bigotry must be driven to take refuge in flight; and that the empire may look forward to the adoption of such just and beneficent counsels as must ever compose the only certain basis of internal tranquillity, and of external safety. I know, Sir, you will perceive that I allude principally to this part of the empire. I have passed not a short life in it; my notions respecting it are the fruit of long observation of it, both in and out of parliament; and so deeply are those ideas graven upon my judgment, that upon a late occasion I was willing to forego every consideration of much labour passed, of advancing years, and declining health, and to undertake the duty of once more sitting in parliament. I could have no motive of ambition, or of party, or view to reputation; I looked not to be an advocate for my country, but I did venture to hope that a man so perfectly removed from all temptation to partiality;

and with so much opportunity of knowledge, might be received as not an incredible witness, in point of fact, for this afflicted island. And from the discharge of so sacred a duty, I thought it would have been most unworthy to affect to excuse myself upon any etiquette of office, when the law had declared no incompatibility between official and public duty. I did think, and I yet think, that if the real state of this country be fairly and fully impressed upon the parliament and the public, it must appear to demonstration, that the hopes and the fears of the two parts of the empire are one and the same; that it is the critical moment in which every thing ought to be done to oppose the embankment of a consolidated nation to the hostile torrent, instead of leaving it even a chance of admission through the interstices of an incohering and porous population; and that those high persons, who saw things a year ago in this point of view, and were then willing to devote themselves to the public service,

may, upon further consideration, think that the obstacles which then prevented their intention ought not for ever to deprive their country of the benefit of their virtue or capacity to serve it. Such an event as I allude to, they may be assured, would have a most consoling and cheering effect upon Ireland, because we should look with confidence to their acting upon that noble and conciliating principle of religious freedom, which has raised your illustrious patron, and those who think as he does, so high in the reverence of all men; they would be sure of retrieving Ireland from a state of suffering and peril; they would be sure of finding a co-operation in every honest Irishman infinitely superior to the zeal of party, or of sect, and founded on the pure devotion of public duty and public spirit. And it would convey to the heart of a loyal and ardent people a conviction that they were yet of value in a quarter where their fondest hopes and affections had been fixed for years. But I fear my solicitude

on this subject has led me to intrude farther than I had intended upon your attention. Permit me, therefore, only to request that you will be pleased to accept my cordial thanks for the courtesy of your communication, and to present my humble respects to the committee.

"I have the honour to be, Sir, &c.

"J. P. CURRAN."

TO HIS ROYAL HIGHNESS THE DUKE OF SUSSEX.

"I cannot, Sir, express the pleasure with which I learn that the sanction of your illustrious rank and your great name are given to that noble principle of religious freedom, and that upon a ground perfectly distinct from all view whatsoever of political party. The relation in which you stand with respect to your country, and your august house, must remove all pretext for soiling our pure and modest religion, by blending it with the sordid spirit of party; or of advancing the pro-

jects of the latter, by an affected association with the former, in which heaven cannot be either interested or honoured, and in which the true principle of political wisdom and social virtue cannot fail to be degraded and depraved. Never, perhaps, have the fatal consequences of this monstrous union been more sadly proved and developed than in the late few years that we have passed; and more especially in this ill-fated country. In England your dissenters were pressed sorely enough by disabling and excluding statutes; but still the sharpness of those legal monopolies went rather against their interest than their honour. Still they were equal as Englishmen; and though shut out, perhaps very unwisely and very unjustly, from a part, and certainly no inconsiderable part, of the constitutional precincts of their country, they still had the uncontroulable range of the residue as freely and proudly as any other portion of the land; they had to complain of suffering rather than stigma or shame. With re-

spect to other religious descriptions of sects, very unworthy indeed to be classed with dissenters—the strange combinations of persons connected together by the fantastical adoption of wild and extravagant opinions, much easier to be named than to be understood, England seems to have acted with the policy that might be expected from a discreet and thinking nation. You have most judiciously cut off the supplies, that martyrdom would have given them in their meek and ardent campaign against the sobriety and decorum of true religion. Your established clergy have stinted them in that food which refutation gives to folly. They have had too much good sense, and too much sound consideration for their sacred functions, to enter the lists of argument with these learned cobblers, and right reverend blacksmiths. However they may have been mortified by the scandal of their orgies, they have had forbearance enough to leave their diseases to cure themselves, and to consign them to the wholesome and

cooling regimen of silent commiseration and inflexible neglect. The law has followed the example of the church, and refused the honours of the pillory or the stake to the adventurous aspirants; and to this concurrence in good temper and good sense may it be attributed, in a great degree at least, that these contraband dealers and inventors of unheard-of forms of doctrine, and patterns of tenets, have not been still more successful in superseding the good order and sobriety of the national faith and practice. I should have hoped that this concurrence was founded on the adoption of a maxim, that forms the basis of that principle so fortunately adopted by your Royal Highness, the inviolability of religious freedom. But deeply concerned am I to see, that however acted upon in England, it has not been pursued in Ireland with the same dignity and temper. In saying this I do not mean to impute absolutely bad intentions to any party, or to say that neither has been betrayed into any step that

may call for censure or regret; but I do think that in our late, or rather our present, unhappy conflicts here, a manifest distinction might be made. The catholic was petitioning for a repeal of certainly very afflicting grievances, and it would be only fair to make some allowance for the tone and phrase in which he might utter what came simply to this:—'I am in bondage without having committed any crime. My degradation and suffering are justified by the most cruel imputation on my character and honour, and I humbly pray to be set at liberty.' If a man were to utter such an appeal with insolence or outrage, I do not say he ought to be kindly heard; but if he felt the right to freedom so coldly as to prefer his claim with an apathy that must freeze it, I should not hesitate to say, he ought not to be relieved; he has not yet arrived at that impatience of slavery, without which he cannot be yet ripe for freedom. I cannot, therefore, avoid saying that the mere ardour of the catholics, in the pur-

suit of an object far more valuable than life, without which life could be of no value, was not a just ground for suspecting that their meeting to petition was a mere pretext to cover any other or any criminal design. The rank and property of the persons, which made them so firmly responsible to the state, should, I think, have repelled such a suspicion, and particularly when sanctioned by so numerous a co-operation of their protestant fellow-subjects. I do not say that the government might not have intended well, or that a most unhappy mistake was any other than an error of judgment; but I do think that when the subsequent conduct of the people had proved their innocence beyond all doubt, a milder and more conciliating conduct might have been adopted with equal dignity and wisdom. But I fear a province is a bad school for a statesman to learn that the essence of dignity consists much more in rest than in action. It has not been so, and the consequence has been a state of

trouble and fermentation, such as I never before witnessed in Ireland. Crimination and recrimination have gone to an extent on all sides, most deeply to be deplored by every man who wishes well to Ireland or the empire. The discussions of those unhappy questions have been carried on in the shape of criminal prosecutions; of proceedings that never should be resorted to, except in cases of real guilt, and never as political measures of aspersion or counteraction. The result has been—No culpable intention whatsoever has been proved; no project has been defeated; the purity of the administration of justice itself has been exposed by the unhappy indiscretion of giving ground for actions, and the readiness of bringing forward prosecutions, in which every judgment and verdict for them has been a public calamity, by sinking them in the public opinion, and leading the people to entertain an idea, which I trust can never be true, that even the judicial authority may be degraded to an instrumentality to the

state. A man of any party but that of public tranquillity and safety would probably speak a language very different from what I am holding to your Royal Highness. But my mind is profoundly impressed with the actual suffering and awful possible danger of such a state of things, which is not at all diminished by the real innocence of intention, which I am ready to concede to all parties. It is not the guilt of the parties, it is the fact of the conflict in which the peril consists. It was from this view of things, though not then so sadly matured as they are at present, that I was most anxious, a year ago, that the arrangement then proposed might take effect: every aspect of things seemed to indicate such an event as most practicable, and most salutary. The resolution of the house of commons seemed to point it out as a measure of inevitable necessity: the exalted magnanimity of an illustrious personage, relinquishing every personal consideration, gave it complete facility, and that in a way the most en-

dearing to the Irish people, by shewing that his mind was perfectly untainted by bigotry. Strange indeed would it be, if an individual of the first taste in England could be so tainted; for what is taste but the moral instinct of an highly cultivated understanding? The great talents and character of the noble persons concerned was a pledge to the empire of what might be expected from the measure. It held out an hope of friendly adjustment with America, instead of forcing her unnaturally into the ranks of our enemies, and driving her to waste her young blood in battle, instead of preserving it for growth; instead of recollecting that she might be destined to be the cradle of an Hercules, who, even in his infancy, was doomed to crush the snakes of despotism, and whose full-grown labours might be reserved, by the extirpation of monsters, to form a new system for freedom in the west, even after it had been banished, like the Americans themselves, from the east. It gave us at least an additional hope of an interval to breathe, by a peace with France; an event

made probable by the known opinions of those noble persons upon the subject; and made still more probable by the incalculable addition to the actual force of the empire, in the perfect conciliation of Ireland, which they, and, I much fear, they alone, could be likely to effect; but in these prospects we were destined to be disappointed. Upon the cause of this failure there was a variety of opinions, but there was a perfect concurrence in the feeling, that it was a great misfortune to this nation: it doomed us to a continuance of disquiet, and an increase of burdens and of dangers; yet we did not hastily give up the hope that the difficulties might be yet got over. Nor can I now conceive how it is possible for those noble persons to allow the weight of a feather to those difficulties, when they see that every event that has happened from that hour to this is flung into the opposite scale, and is a call upon them to come forward and do their duty to their country.

"As an Irishman I own my heart sunk

when all hope was at an end of seeing our favourite countryman * return to his native land, bearing the olive branch; the only man who seemed peculiarly designated for the great work of conciliation; but even from the lip the cup has been dashed—the grating upon the mountain of Ararat was a delusive omen of the subsiding of the waters; and our miserable ark is still tossed, not upon a sinking but a rising and more angry flood. My own concern, at that time, did not spring from any personal bad opinion of the ministers; I gave them then, and I give them now, full credit for perfect good intention. Indeed, I can scarcely conceive the possibility of a public man's having the heart not to intend most conscientiously for the best; but I could not avoid seeing that the vote of the house was a sort of presentment against them by the grand inquest of the nation; and that the readiness of their master to dismiss them was a full confirmation of

* The Earl of Moira.

the public opinion, that it was a blight under which, if they did not die, they must dwindle; and that their acts and their language could not but correspond with a diminished stature. They have verified their sad foreboding, peculiarly with respect to America and to Ireland; their tone and style has been undignified, peevish, and exasperating, sophisticated and insulting. What else have been their orders in council? 'The French are abusing your rights on the sea, we will retaliate by abusing them also:—the highwayman robs you of half your property, we will retaliate upon the highwayman by robbing you of the other half.' But this is a subject, perhaps, beyond my depth, and upon which my reasonings may be partial. There are many sad analogies that give us a deep and tender interest in the fate of that country. We cannot forget the fresh and daily increasing ties that bind us to them as brothers, or children, or kindred. An American war can never be popular in Ireland; and the same causes that make

it impossible for us to be their enemies, make it improper to be their judges. My mind, therefore, returns to home, the natural scene of every man's immediate solicitude. Upon this subject, to almost any other person than your Royal Highness, I should have much to say. To you, Sir, I know how absurd it would be to affect to give information. The feeling and the splendid part which you have been pleased to take in our interests and our sufferings proves to us, not only how perfect a knowledge of them you possess, but also how much a patient and impartial judgment can contract questions which blindness and passion had dilated and perplexed; and to what a salutary degree you have been successful in simplifying the real objects to which the attention of the two countries ought to be confined. Any longer trespass upon your Royal Highness's patience can go no further, therefore, than very passingly to advert to the progress which I hope has been made in the happy work of conciliation.

"I think the good sense of England must now see, that the habits of reasoning and acting in Ireland are not to be judged by the interested and distorted misrepresentations that have been made of this country during centuries past. I understand with pleasure that those historical topics of abuse, which caught the public attention for some time, are now spurned or laughed at, as the venemous and silly effusions of reading without learning, or learning without knowledge;—the real heads of inquiry are now plain. I know some weight was once given to the distinction, that mere exclusion was not privation. I believe there is now no rational man who does not see, that when it is justified upon the most degrading imputations, it is the bitterest of all privations, because in the same moment it takes away the privilege of the subject and the character of the man.

"It has been said, 'it is dangerous to give power to the catholics as long as this objection was undefined.' This acted

upon the nerves of, I am sure, many good men; but it could not but cease to do so, when they reflected that nothing like power was sought or intended to be given. Mere admissibility is nothing like power; mere admissibility can no more make a catholic a gauger than it can make him a king. I am admissible to be Lord Chancellor of England; but would not any man in his senses imagine I had escaped from Bedlam if I called such admissibility by the name of power? It was said, that emancipation would lead to attempts upon our establishments. It is not surely difficult to see that establishments can be altered or destroyed only by law or by force.

"As to law, the danger comes exactly to this;—whether a few catholic members could succeed in making proselytes of king, lords, and commons, so as to subvert the protestant church? I confess, Sir, that is not my opinion of our catholic gentry; if they became senators I suspect their ambition would have very little to do with religion, and that they would be

seen going forth with the minister of the day, as well as their protestant brethren, in the mildest spirit of patriotic toleration.

"As to brutal force, I can't see that admissibility to sit in the house of commons could be an inducement with any man to burn it. I cannot comprehend how giving men those interests in the state, without which no state can have any real value in their eyes, can increase their wish any more than their power to destroy it. I have heard of common sailors making off with the ship and cargo, but never of the proprietor joining in such an act. I never heard even of an Irish gentleman robbing himself and running away. If they are then asked—what do we solicit, and what can they give us? I cannot doubt that a generous nation will feel no little pain in being obliged to answer—'We cannot give you power, nor place, nor wealth; we cannot undo the sad consequences of continued oppression; we cannot restore you in a moment to national health; the most we can do is "to

remove the actual malady in which you have been so long consumed; and to put you into a state of possible convalescence, in which the progress, at the best, must be hectical and tardy.'

"I know the hopes of some men are damped by the petitions against us. My hope is, that they are favourable to us; when the motives and the means of procuring them are considered (and they cannot be unknown) they cannot fail of kindling a condign detestation of those who can resort, for any human object, to such obdurate and remorseless guilt, as that of exciting man against man: of loosening those bonds that should bind the subject to the state, and poisoning the sources of that christian benevolence that ought to be the consolation of nations under those sufferings with which it has pleased Providence to permit almost the whole civilized world to be afflicted; nor can I deem it possible that so just a detestation of the oppression should not lead to a proportional sympathy for the

sufferers. As to the petitions from ourselves, we know they are the natural consequences of our condition; they are much stronger proofs of deplorable prostration than of real malice; and happy is it for the quiet of Ireland, that they are so considered. When Verres was accused for his frightful mal-administration in Sicily, a counter-petition was obtained; and if I forget not, at the head of the deputation who came to implore that no mercy should be extended to him, was advancing to the senate, an illustrious Sicilian, who had himself been the most distinguished victim of what authority may perpetrate in a province. I cannot imagine that the display of such a spectacle could do injury to the cause of the unfortunate supplicants; nor can I think, that if the Irish catholic were now put upon his trial before an impartial tribunal of the English nation, his accusation weighed against his defence, his friends against his enemies, his conduct against his treatment; I cannot doubt that in such a situation, his character and claims

would be so felt, that he might boldly say, 'I would to God that not only you, but all those that hear me this day, were both, almost and altogether such as I am, except these bonds.' I cannot, sir, in regard to the duty of perfect candor which I owe to your Royal Highness, avoid saying that the wild spirit of aggression which of late time has raved among us, has miserably reduced the respect in which every good government cannot fail to be held. These contests for dignity, without doubt, have been most disastrous. Alas, sir, I much fear that dignity is a robe which he, that will box for it, must lay aside during the conflict, and there is great risk that when he has been soundly threshed, he may find, like Strap, that it has been taken away during the battle by the honest gentleman who undertook to keep it.

"But, sir, the baleful effects of this violence cannot stop here. It is too visible that manners, and morals too, must become ferociated; so that there can be no doubt, that if good sense and feeling shall

not make the edge of authority more blunt, necessity must soon make it sharper even than it is. If the rider will not sit quietly on his saddle, but will hold his seat by grappling the sides of the animal with his spurs, he cannot avoid changing to a bridle of no ordinary force. No other way can remain for restraining the madness he provokes. This, sir, in my conscience I am convinced is the state of this country: things cannot stay as they are; temporizing palliatives will not avail; it will answer no end to draw upon our great grandsons in favour of the great grandsons of the catholics, for liberty to be granted in the course of the next century.

"Mean time, for I more than feel how much I have passed the limits, I cannot but hope the best effects from the principle of religious freedom, which you are pleased to protect, and of which you will be so powerful a patron, and so bright an example.

"Be pleased, sir, to accept my humble thanks for your condescending wish, that

I should have the honour of being present at the meeting of the friends of such a principle; as I find it is not to be immediate, I do not altogether give up the hope of being present, but, present or absent, it will have my most devout prayers for its success. I have the honour, sir, to be, with the most profound sense of attachment and respect,

"Your Royal Highness's dutiful servant,

"J. P. C."

CHAPTER VIII.

Mr. Curran's health declines—Letters to Mr. Hetherington—Resignation of his judicial office—Letters from London to Mr. Lubè—Letters from Paris to the same—His last illness and death.

In the beginning of 1813, the declining condition of Mr. Curran's health obliged him to meditate the resignation of his judicial office. While he was in London in the month of April of that year, he suffered a severe attack of inflammation in his chest. His illness, though by no means dangerous, was a subject of considerable alarm to his mind, in consequence of an old but unfounded opinion that his lungs were naturally weak; a mistake into which he had been led from confounding the temporary hoarseness and exhaustion which usually followed every great exertion in public speaking with a constitutional debility of that organ. There is something

characteristic in his manner of announcing his illness upon this occasion to his friend in Dublin.

"TO R. HETHERINGTON, ESQ.

"DEAR DICK,

"Really I think rather an escape—I have been confined to my bed these ten days; a violent attack on my breast—lungs not touched—better now, but very low and weak. I can't say with certainty when I can set out. Will you let Mr. Lockwood (or if he is not there, the Chancellor) know my situation; a wanton premature effort might kill me.

"J. P. C."

"TO THE SAME.

"DEAR DICK,

"I had hoped a quicker recovery; but the fit was most severe. I thought to

have put myself into a chaise to-morrow, but the physician says it might be death, unless deferred some days longer. The malady was upon the breast; I think I caught it by walking from Kensington—the morning was snowy and the wind east. I had not even gone to a play but once—I am most uneasy at this absence from court, however involuntary. I have written to Lord Manners. I have no news; nothing could be kinder, or more general than the flattering reception I have met. Still I am not acting like a dying man. Surely I could not prepare to dance out of the world to a grand forte-piano; yet they talk of such a thing. The town is also full of rumours of a silver tea-pot, &c. &c.* What can all this mean? Doesn't it shew

* When Mr. Curran was confined to his bed and suffering considerable pain, he could not abstain from the same playfulness. His medical attendant having observed one morning, that he found he coughed with more difficulty than on the preceding evening; "That's very surprising," replied the patient, "for I have been practising all night."

a regard for our executors? My best regards to all about you, and with you.

"J. P. C."

Mr. Curran was in a little time so far recovered as to be able to resume his judicial functions. In the long vacation he returned as usual to England, from which he writes as follows.

"TO RICHARD HETHERINGTON, ESQ. DUBLIN.

"Cheltenham, September 3, 1813.

"DEAR DICK,

"You ought to have heard from me before; I have been a truant; however in fact I had little to say: I am here now ten days. I took the waters; as usual, they bore down whatever spirits I had to lose. Yesterday I went to the doctor; he told me I had taken them wrong and was wrong in taking them; that I had no symptom of any disease whatever; he mentioned also, in confidence, that notice had been taken of my intimacy with Mrs.

Forty; that there were some ladies not far from the well, strangers altogether to my poor dear, in whom religion had turned, from milk, and soured into vinegar; who had little hope of being talked ill of themselves, and who made it a moral duty to slide themselves in upon the market jury of every character, and give a verdict against them upon their own knowledge; particularly if there were any circumstance that made it an act of common mercy, in those canters of slanderous litanies, to be silent or merciful. 'My dear sir,' said he, 'let not women complain of their injuries from men, when they are such odious beasts in devouring one another.' In truth, my dear Dick, it is frightful to see how little they can spare their friends, when they can make them the pretexts for venting their infernal malice. I confess it has added to my sickness of heart against that country*, of which I have really deserved so much.

* Ireland: the censorious ladies in question were his countrywomen.

"You can scarcely believe what a difference I find here—courted and cherished by strangers; I assure you the question of celebrity between the royal tiger and me is not quite decided. The change of scene is amusing, so is the diversity of characters; there is a moral benefit in the change of scene; you look back to the niche you filled and you see it not: how minute, then must be the little thing that filled it? Here too every body is as intimate with me as I permit. I really begin to think that the best tenure of earthly attachment is tenancy at will. You have the use of the soil, and the way-going crop; then nothing you plant shoots so deeply but you may remove it without injury to the soil or to itself. If affections strike their roots far into the heart, they cannot be pulled up without laceration and blood. I am not without an idea of cutting you altogether: I could easily get into parliament and on my own terms, but the object would not justify a purchase; and I need not tell you, I would not submit to restrictions.

"You will be surprised when I tell you that I have the highest authority for knowing that the silly malice of the Castle has not had the smallest impression on a certain high quarter. As I have jilted Mrs. Forty, my head is getting better, and I shall try and write. I may as well stay here sometime as any where else: I am afraid of London; however, I can't but pay a visit to the Duke of Sussex. Will you enclose "Wagram *" to Mr. Reeves, and

* The title of the following lines composed by Mr. Curran.

COUNT ROLLO, TO HIS SERENE HIGHNESS THE PRINCE OF WAGRAM.

Wag, Prince of Wagram, prince of dogs,
Of man the friend, the foe of hogs,
When fast'ning on the flapping lug,
The more they squeak, the more you tug;
And sweet to alderman as custard,
You cranch the gristle without mustard.
The justice grave, that looks so big,
With midnight brow, and snowy wig,
Say, Wagram, can the sage compare
His artful with thy artless hair?
The locks that hireling hands can spread
For lucre vile on viler head,
With those that heaven on thine can shed?

add my respects, and request that he will have the goodness to forward it to me to

Fain would he look as if he thought,
But if he thinks, he thinks of nought
But ill-used power, or un-used pelf,
Or fame known only to himself.
Oh! how his vanity might brag
Were he but fair and just as Wag.
The courtier beast on hinder legs,
Like you that fawns, like you that begs;
But, Wag, can he compare with you
For faithful love, and friendship true?
Let but the patron feel the blast
Of veering fate, how soon is past
The felon faith, the slip-knot vow;
Where is the perjur'd courtier now?
Has the poor patron raised one foe
Whose ruthless rage would crush him low?
Go seek, and you'll be sure to find
Th' apostate parasite combined
With that one foe, and prompt to lend
His aid to sink a sinking friend;
Oh Wag, how different far from thee,
Should sun-tide smiles thy mistress flee,
Should wayward fortune learn to frown,
And all she promised once disown;
Tho' every hope became a rag,
Still thou'd'st be faithful, honest Wag.

Cheltenham. The post is just going out—write to me by return; best regards to the

Behold the bigot's fiery face!
His heart of gall, his leer of grace,
That grace by which to him is given
To scan the politics of heav'n;
O'er man to wave the vengeful rod,
And hate him for the love of God;
That boasts from heav'n the mystic spell,
But reads it by a light from hell.
No generous science lights his mind;
There all is shapeless—all is blind,
No social love his bosom warms,
There pow'r alone, or interest charms,
Each wild extreme by turns he owns,
He crawls a slave, a tyrant frowns;
As still by changing winds he's driven,
Abhorred by man—accursed by heav'n.
Well pleased, O Wag, I turn to thee,
From all those abject horrors free.
Perhaps thy intellectual span
Is somewhat less than that of man;
Thy gifts like his are not abused,
Thy gifts are ever fairly used.
What nature orders you obey,
Nor ever deviate from her way,
Alas! how steadier far than I,
You work, you eat, you sleep, you die.

hill. I begin to think that 'compliments to all *inquiring friends*' generally dwindles into a sinecure. What of the poor Priory? we have passed some happy and innocent days there. God bless you, dear Dick, prays very sincerely yours

"J. P. C.

"P. S. These senators are in bed, or this should pass more free than I have ever been able to do."

Another word I've just to say,
And then the Muse gets holiday;
There's mistress, and there's Master Dick,
Will spend with me their Christmas week,
And Betty B. of virgin fame,
And Marg'ret say they'll do the same.
But what avails what they may do?
It can't be Christmas without you.
Come, then, we'll form our Christmas plan,
In mutual kindness on we'll jog;
You'll grieve that I was born a man,
And I'll rejoice that you're a dog.

"TO THE SAME.

"DEAR DICK,

"My last was in spleen and haste; this is a postscript. I can scarcely add what I should have said, because I forget what I did say; no doubt I was too vain not to brag of the civility I have met, and consequently of the good taste of every body. Did I say any thing of the Italian countess, or the French count her uncle, whose legs and thighs are turned into grasshopper springs by a canister-shot at the battle of Novi? She talks of going westward; as Irish scandal does not talk Italian, and as she can't speak English, she may be safe enough, particularly with the assistance of a Venetian blind! Dear Dick, God help us! I find I am fast recovering from the waters; I think I'll drink no more of them; my nerves are much more composed, and my spirits, though far from good, are more quiet. Why may not the wretch of to-morrow be happy to-day? I am not much inclined to

abstract optimism, but I often think Pope was right when he said, that 'whatever is, is right,' though he was perhaps too shallow a moralist to know, not why he thought so, but why he said so; probably 'twas like your own poetry, he made the ends of the lines jingle for the sake of the rhyme.

"Apropos of jingle. I forgot, I believe, to beg of you to send me two copies of 'Oh Sleep!' I wrote it for Braham. I suppose the air not correctly

* TO SLEEP.

O Sleep, awhile thy power suspending,
Weigh not yet my eye-lid down,
For Mem'ry, see! with Eve attending,
Claims a moment for her own.
I know her by her robe of mourning,
I know her by her faded light;
When faithful with the gloom returning,
She comes to bid a sad good-night.

Oh! let me here, with bosom swelling,
While she sighs o'er time that's past;
Oh! let me weep, while she is telling
Of joys that pine and pangs that last.

"Did I beg of you to see and to direct James as to the erections at the barn? don't forget it; because, perhaps, I may see the Priory once again. I dreamt last night of your four-horse stable, and I was glad to find all well.

"You can scarcely believe what a good humoured compromise I am coming into with human malice, and folly, and unfixedness. By reducing my estimate of myself, every collateral circumstance sets out modestly on the journey of humility and good sense, from the sign of the Colossus to that of the Pigmy, where the apartments are large and ample for the lodger and his train.

"Just as before, the post is on my heels; Richard has only time to put this in the office. I shall probably soon write more at leisure. Compliments at the hill: ditto repeated *shaking the bottle.* J. P. C."

And now, O sleep, while grief is streaming,
Let thy balm sweet peace restore,
While fearful hope through tears is beaming,
Soothe to rest that wakes no more.

"The Scotch indorser of this gave me my dinner yesterday;—champaigne and soda. He votes with the minister. I gave a lecture, and got glory for rebuking a silly fellow that tried to sing an improper song in the presence of his son.—'Thunders of applause.'"

"TO THE SAME.

"Cheltenham.

"DEAR DICK,

"I have not been well here—these old blue devils, I fear, have got a lease of me. I wonder the more at it, because I have been in a constant round of very kind and pleasant society. To-morrow Sir Frederick Faulkener and I set out for London. I don't turn my face to the metropolis *con amore*, but the Duke of Sussex might not take it well if I did not call upon him—so I go, being at once an humble friend and a patriot. Low as I have been myself in spirits, I could not but be attracted with the style of society and

conversation here, particularly the talents and acquirements of females—I am sorry to say, few of them our countrywomen. The vulgarity too and forwardness of some of our heroes quite terrible. On the whole, however, perhaps, I'm the better for the jaunt."

Early in the following year, in consequence of the still declining condition of his health and spirits, Mr. Curran resigned his judicial situation.* Shortly after his resigna-

* Upon Mr. Curran's resignation the following address was presented to him by the Catholic Board:—

"TO THE RIGHT HONOURABLE JOHN PHILPOT CURRAN

"SIR,

"The general board of the catholics of Ireland feel it their duty to address you on your resignation of the high office to which your talents were called, and the duties of which you have discharged with the courtesy of a gentleman, the abilities of a lawyer, the dignity of a judge, and the characteristic integrity which has ever distinguished you. Taking a review of a life devoted to the service of your country, and the cause and interest of public and private liberty, we shall ever hold in proud and grateful remembrance the energy which

tion he passed over to London, in order

you displayed in resisting oppression, and defending the rights of the subject and the constitution; the independent spirit with which you met the frowns and seductions of power; the intrepidity with which you vindicated your insulted and maligned country, and the sacrifices which you made at the shrine of public virtue. The freedom and privileges of your profession, so closely connected with those of the public, you upheld both at the bar and on the bench. The first flight of your juvenile genius was a noble and generous defence of an obscure, but respectable individual against a lawless assault of tyrannical power. You have uniformly opposed that bigoted, that baneful policy, which impiously tries the principles of man by his religious creed. You have maintained the great and sound principle of religious liberty. A just, a liberal, and an enlightened mind abhors the pernicious system of excluding from equal rights those who contribute equally to the support of the state with their property and their lives;—a system which sacrifices the liberty of the country to protect the monopoly of a party, and which, by perpetuating division and discord, saps the foundation of all social intercourse. You, Sir, and the other illustrious advocates of Irish prosperity, are well aware that the total extinction of such a system is absolutely essential to the consolidation and permanence of the general strength of the empire. Permit us, therefore, Sir, to indulge our earnest hope, that your splendid talents, emerging from the eclipse of judicial station, and reviving under that name which has

to proceed to, and take a last look at,

attached the hearts of your countrymen, will again be exerted in the service of Ireland."

MR. CURRAN'S ANSWER.

"GENTLEMEN,

"Be pleased to accept my warmest acknowledgments for this flattering mark of your approbation and regard. So far as honesty of intention can hold the place of desert, I can indulge even a proud feeling at this proof of your good opinion, because I have no secret consciousness that can blush while I receive it. I have early thought that the mere fact of birth imposes, by the authority of God, a loyalty to country, binding the conscience of man beyond the force of any technical allegiance, and still more devoted and excusable. To our unhappy country I know that this sentiment was little better than barren; however, what I had I gave. I might have often sold her—I could not redeem her. I gave her the best sympathies of my heart, sometimes in tears, sometimes in indignation, sometimes in hope, but oftener in despondence. I am repaid far beyond my claim; for what reward can be more precious than the confidence and affection of those for whom we could not think any sacrifice too great? I am still farther repaid by seeing that we have arrived at a season that gives us so fair a prospect of better days than we have passed. When I view these awful scenes that are daily marking the interposition of Providence in punishment or retribution, that teach rulers to reflect, and nations to hope, I

France, now once more accessible from

cannot yield to the infidelity of despair, nor bring myself to suppose that we are destined to be an exception to the uniformity of divine justice, and that in Ireland alone the ways of God shall not, in his good time, be vindicated to man, but that we are to spend our valour and our blood in assisting to break the chains of every other nation, and in riveting our own; and that when the most gallant of our countrymen return to us, laden with glory and with shame, we are to behold them dragging about an odious fetter, with the cypress and the laurel intertwined. On the contrary, I feel myself cheered and consoled by those indications, which inspire the strong hope that the end of our affliction is rapidly advancing, and that we shall soon be placed in a condition where we shall cease to be a reproach to the justice and wisdom of Great Britain. The calumnies of our enemies have been refuted, and have left no impression behind them, save a generous regret that they could ever have been believed. It is with no ordinary feeling of condonation and respect that we should hail the awaking of a nation, formed to be illustrious, from the trance of a bigotry that cannot be refuted, because it does not reason; that, like every other intoxication, stupifies while it inflames, and evaporates only by sleep. It becomes us to congratulate on the recovery without retrospect to the time it may have cost. Within the short limits even of a year, the spirit of a just and liberal policy has assumed a station that scarcely could be hoped from the growth of centuries. That wise country has learned to see us as we are; to compare

the fall of Napoleon. He addressed se-

our sufferings with our merits and our claims; and to feel that every kind and tender sympathy that speaks to the heart or head of a man in favour of his fellow-subjects is calling upon her to put an end to the paroxysms of that gaol fever which must for ever ferment and fester in the imprisonment of a nation, and to do it in a way that shall attach while it redresses, and bind a blended empire in the bond of equal interest and reciprocal affection. We are asking for no restorative—the legislature has none to give; we ask only for what is perfectly in its power to bestow:—that deobstruent which may enable the human creature, even by a slow convalescence, to exert the powers of his nature, and give effect, by the progression of his happiness and virtue, to the beneficence of that Being which could not have permanently designed him for the sufferings or the vices of a slave. In your anxiety for the honour of the bar, I cannot but see an auspicious omen of your near approach to the possession of such a treasure that deserves so high a protection. Short is the time that has passed since you could not have adverted to that subject without a mixture of shame and anguish; but you can now resort to persons of your own religious persuasion for those great talents for whose purity you are so justly anxious. You are certainly right in thinking the independence of the bar the only unfailing safeguard of justice, and of that liberty without which justice is but a name. It is the equal protection of the people against the state, and of the state against the people. If Erskine had lived in the dark

veral letters from London and Paris to one of his intimate friends in Ireland.*

times of the second James, it might have saved his country from the pain of reading the events of those days, when the court could procure a bench, but the subject could not find a bar. It is with an emotion difficult to describe that I see how easily our hearts are betrayed into an exaggerated estimation of those we are disposed to love. You are pleased to bespeak the continuance of my poor efforts in the cause of Ireland. I cannot without regret reflect how feeble they would be; but I am fully consoled in the idea, that they would be as unnecessary as inefficient. It is still no more than justice to myself to say, that if an opportunity should occur, and God be pleased to let it be accompanied by health, my most ardent affections would soon find the channel in which they had flowed so long. A devoted attachment to our country can never expire but with my last breath. It is a sentiment that has been the companion of my life: and, though it may have sometimes led to what you kindly call sacrifices, it has also given me the most invaluable consolation. And even, when the scene shall come to a close, I trust that sentiment shall be the last to leave me, and that I shall derive some enjoyment in the reflection, that I have been a zealous, though an unprofitable, servant."

* Mr. D. Lubè, of the Irish bar; a gentleman of peculiarly estimable character, in whom Mr. Curran reposed the most unbounded confidence.

Of these the following selection will be found to contain his opinions at large upon the interesting events that had lately passed, and upon the state of society in those rival capitals:—

"TO DENIS LUBE, ESQ. DUBLIN.

"London, June, 1814.

"MY DEAR LUBE,

"I am not many days in London; yet am I as sick of it as ever I was of myself. No doubt it is not a favourable moment for society; politics spoil every thing; it is a perpetual tissue of plots, cabals, low anxiety, and disappointment. Every thing I see disgusts and depresses me; I look back at the streaming of blood for so many years; and every thing every where relapsed into its former degradation. France rechained—Spain again saddled for the priests—and Ireland, like a bastinadoed elephant, kneeling to receive the paltry rider: and what makes the idea the more cutting, her fate the work of her

own ignorance and fury. She has completely lost all sympathy here, and I see no prospect for her, except a vindictive oppression and an endlessly increasing taxation. God give us, not happiness, but patience!

"I have fixed to set out for Paris on Tuesday with Mr. W. He is a clever man, pleasant, informed, up to every thing, can discount the bad spirits of a friend, and has undertaken all trouble. I don't go for society, it is a mere name; but the thing is to be found nowhere, even in this chilly region. I question if it is much better in Paris. Here the parade is gross, and cold, and vulgar; there it is, no doubt, more flippant, and the attitude more graceful; but in either place is not society equally a tyrant and a slave? The judgment despises it, and the heart renounces it. We seek it because we are idle, we are idle because we are silly; the natural remedy is some social intercourse, of which a few drops would restore; but we swallow the whole phial, and are sicker

of the remedy than we were of the disease. We do not reflect that the variety of converse is found only with a very few, selected by our regard, and is ever lost in a promiscuous rabble, in whom we cannot have any real interest, and where all is monotony. We have had it sometimes at the Priory, notwithstanding the bias of the ball that still made it roll to a particular side. I have enjoyed it, not long since, for a few hours in a week with as small a number, where too there was no smartness, no wit, no pretty affectation, no repartee; but where the heart will talk, the tongue may be silent—a look will be a sentence, and the shortest phrase a volume. No; be assured if the fancy is not led astray, it is only in the *coterie* that the thirst of the animal being can be slaked, or the pure luxury and anodyne of his life be found. He is endeared and exalted by being surpassed; he cannot be jealous of the wealth, however greater than his, which is expended for his pleasure, and which, in fact, he feels to be his own.

As well might an alderman become envious of the calapash in which his soul delights before the Lord. But we are for ever mistaking the plumage for the bird: perhaps we are justly punished by seeking happiness where it is not given by nature to find it. Eight or ten lines back I looked at my watch; I saw 'twas half past six, the hour at which dinner, with *a friend or two*, was to be precisely on the table. I went—was presented to half a dozen dial plates that I never saw before, and that looked as if they had never told the hour of the day. I sat gagged—stayed twenty minutes—came back to write, leaving Richard to bring me word if, between this and to-morrow, the miserable mess shall be flung into the trough. How complete a picture this of glare without worth, and attitude without action. 'My temper,' to quote myself, 'and my dinner lost.' Can it have been the serious intention of Providence that affectation should obtain these triumphs over sense and comfort? and yet really

my host is a very good fellow in the main.

"'Tis now half past seven—no Richard. I had just put on my hat to go to the next coffee-house, but I resolved to punish myself for the petty peevishness of being angry, because every one has not as much good sense as I think I have myself. I am now wishing there may be no dinner till ten, that I may have the glory of self-punishment—

'Judico me cremari,

in continuation—

'Et combustus fui*.'

* Mr. Curran alludes to an anecdote related by Sir William Blackstone, in one of the notes to his Commentaries. In the reign of Henry the Sixth, the Chancellor of Oxford claimed the right of trying an action brought against himself; upon which occasion his counsel, Serjeant Rolfe, introduced the following curious argument in support of the claim.—*Jeo vous dirai un fable. En ascun temps fuit un pape. et avoit fait un grand offence, et le cardinals vindrent a luy et disoyent a luy "peccasti:" et il dit, "judica me:" et ils disoyent, "non possumus, quia caput et ecclesiæ; judica teipsum:"*

"We sat down at eight, sixteen strong, but it had nothing of a *coterie*. I sat next a pleasantish sort of lady; but alas! a look of attention is not a look of affiance: there are graciousnesses that neither identify nor attract; and as to the atmosphere that sported on her dimples, I would just as soon have had a thimbleful of common air. After all, how rare the coincidences that conciliate affection and exclusive confidence!—how precarious!

> 'For either
> He never shall find out fit mate, but such
> As some misfortune brings him, or mistake;
> Or whom he wishes most shall seldom gain.
> Or if she love, withheld
> By parents, or his happiest choice too late
> Shall meet already linked and wedlock-bound
> To a fell adversary, his hate or shame.'

"Milton, you see, with all his rigour, was not insensible of these *lachrymæ re-*

et l'apostol dit, "judico me cremari," et fuit combustus; et apres fuit un sainct. Et in ceo cas il fuit son juge demene, et issint n'est pas inconvenient que un home soit juge demene.—Bla. Com. Book 3, p. 299, note.

rum. There is one thing that ought to make us humble and patient. When we are close enough for the inspection of others, we soon find that 'life is eternal war with woe.' Many, too, are doomed to 'suffer alone;' and, after all, would not a truly generous nature prefer the monopoly of its own ills rather than fling any part of them upon a kindred bosom?

"You ask me about politics. Regarding myself, my answer is—I had no object in parliament except the catholic question, and that I fear is gone. Westminster will probably be a race of bribery, equally disgraceful and precarious*. Burdett's conduct has been quite that of a friend and a man; he would have been most ardent, and what was to me most grateful, on a public ground. I dined with him

* It was expected at this time that there would shortly be a vacancy in the representation for Westminster, in which event Mr. Curran had been encouraged to offer himself as a candidate, but he never entered warmly into the scheme. This is the political project to which he adverts more than once in his subsequent letters.

yesterday; at first the party was numerous—the masquerade, about ten, drained them down to three, my *compagnon de voyage* and myself; till one it was quite a *coterie*, with no wine; there's no playing on an instrument with many strings; half of them form only base accompaniments.

"I thought to have gone *incog.* to Paris, but my excellent friend, the Duke of Sussex, insisted on my taking a letter to Monsieur:

> 'So now cocked hats, and swords, and laces,
> And servile bows and low grimaces;
> For what at court the lore of Pascal
> Weighed 'gainst the crouchings of a rascal?

"As to my stay there, every where is to me nowhere; therefore, if it depends on me, I shall drop off when I'm full, or Mr. W. will haul me along. If our friends have any wish, it ought to decide, and shall do so. I cannot endure to be conscious of any retaliating sulk in myself; and I know that heaven loveth the cheerful giver. "Yours, &c.

"J. P. C."

TO THE SAME.

"London, June, 1814.

"DEAR LUBE,

"Just received your kind fragment. I cannot say I read it without some pain. When fortune deigns to favour, particularly if there is any port and dignity in her condescension, we are apt to feel any declination from the consistency of her kindness. If she has justly entitled herself to stand upon a high pedestal, she cannot sink into any pettiness without affliction to the votary, who may be too apt to fear that there may have been blindness in what she gives as well as in what she withholds.

Anne Howe* is an injudicious example of a woman of talents, favouring without much claim, inflicting without cause, and diminishing the value of what she gives,

* This is a fictitious name. The subject of this part of the above letter was entirely of a private nature, and is alluded to with a studied obscurity.

and what would otherwise rise above all price, by the levity of an unequal tenor that takes away from her the splendid sanction of her own uniform judgment in her own justification; it lets down the giver, and abashes the taker. Our friends should not have made a point so much beneath their region;—let them, therefore, review and correct. However, it should be ever the duty of gratitude, not to let even the breaking of a single string take away the merit of the residue of the octave, if that had given out all the luxury of harmony and feeling before that single key had lost its voice—but, perhaps too much of this.

"Since my arrival here my spirits have been wretchedly low: though treated with great kindness, I find nothing to my mind. I find heads without thinking, and hearts without strings, and a phraseology sailing in ballast—every one piping, but few dancing. England is not a place for society; it is too cold, too vain, without pride enough to be humble, drowned in dull fantastical formality, vulgarised by

rank without talent, and talent foolishly recommending itself by weight rather than by fashion—a perpetual war between the disappointed pretension of talent and the stupid overweening of affected patronage; means without enjoyment, pursuits without an object, and society without conversation or intercourse: perhaps they manage this better in France—a few days, I think, will enable me to decide. As to politics, I remain in opinion the same. In that object I probably would have succeeded; I should have been strongly supported, but a conflict of corruption! surely not to be thought of. How would it mortify the discerning pride of our friends, to see us decked and degraded in a mantle!

"So vilely purchased and so vilely wrought!"

and to find themselves disguising the pangs of wounded sympathy in the forced semblance of gratulation. The advice of Longinus, 'consider how Homer would have expressed this idea,' ap-

plies equally to every thing. How would the adviser have advised?—how feel? Will the 'promise so true,' 'for ever to partake the joy and the woe,' be performed in sharing the joy of what is right, or in the sad condolence at what is weak or wrong? If the latter, what would it be but the rising of the whirlwind, and drifting a mountain of sand upon the green spot that could never again appear? While fate permits that spot to bloom, sacred should it be kept, at least from voluntary weeds.

"One of our friends asked me how soon I meant to return. Instead of answering directly, I observed that the question implied no particular wish, or, if any, rather for a retarded than a precipitated return. If any wish had been intimated, it would have decided me. I did not impute the indecision to any want of interest, but I intended to have discussed it at large the day after my departure. What is the wish? Perhaps, on such a subject, the wisher might condescend to be also

the amanuensis. I shall remain here, I think, just long enough to get a line—enclose to J. Spencer, Esq. 28, Bury-street. If I am left to my own conjectures, my stay in France might be for the winter; it might lead to an excursion to Italy, in vainly pursuing 'phantoms that promise and afterwards disown.' A proposal towards such a plan has been mentioned to me, and by a pleasant man, who has been there already.

"Don't mistake me, in supposing that I meant any thing peevish in the indecision of wish by our friends; quite the contrary. I really think it very difficult to know what wish to form, while all things are in such a state of vacillation. The post is just ringing. Farewell!

"J. P. C."

"Paris, August 3, 1814.

"DEAR L.

"I received your kind letter, and thank you for it; '*levius fit*,' &c. When I came here, I intended to have scribbled some little journal of what I met. I am

now sorry I did not. Things so soon become familiar, and appear not worth notice; besides, I have not been well since I came here. If I had written, and sent it to you, it would have been a tissue of astonishment, or affliction, or disgust. I see clearly I am likely to be drummed out of this sad world. I fear war will soon unfold her tattered banners on the continent. This poor country is in a deplorable state—a ruined noblesse, a famished clergy, a depopulated nation, a state of smothered war between the upstarts and the restored; their finances most distressed; the military spirits divided; the most opposite opinions as to the lasting of the present form of things—every thing unhinged: yet I really sympathise with this worried, amiable, and perhaps contemptible, people; so full of talent and of vice, so frivolous, so inconstant and prone to change, so ferocious too in their fickleness; about six revolutions within twenty years, and as fresh as ever for a new dance. These strange vicissitudes of man draw tears, but they also

teach wisdom. These awful reverses make one ashamed of being engrossed by mere self, and examining a louse through a microscope, 'complain of grief, complain thou art a man.'

"I never so completely found my mind a magic-lantern; such a rapid succession of disjointed images! the past, the present, the future possible. One ought not to be hasty in taking up bad impressions, and I need not say that three weeks can give but little room for exact observation; but from what I do see, and learn from others who have seen long and deeply, I have conceived the worst of social Paris. Every thing on the surface is abominable; beastlinesses that even with us do not exist; they actually seem in talk and in practice to cultivate a familiarity with nastiness. In every public place, they are spitting on your shoes, in your plate, almost in your mouth. Such community of secretions, with, I think, scarcely any exception, is not to be borne. Then the contrast makes it worse—gaudiness more striking by filth:

the splendid palace for the ruler, the hovels and the sink for the ruled; the fine box for the despot, the pigeon-holes for the people; and it strikes me with sadness, that the women can be little more than the figurantes, much more the property, and that a very abused property, than the proprietors; receiving a mock reverence, merely to carry on the drama, but neither cherished nor respected. What a reflection, if, as I fear, it is true that the better half of the species, (for such I really think them, when fitly placed,) should be so sacrificed! How vile the feeling and the taste, that can degrade them from being the real directors and mistresses of man, to be the mere soubrettes of society, gilded and smart, and dextrous and vicious, giving up all that exalts and endears them in their proper characters of wives and friends, and partners in good and consolers in adverse fortunes! Even before the revolution, manners were bad enough, but many causes since have rubbed off the gilding; the banishment of the nobles, the

succession of low men to power, and more than all the elevation of plebeian soldiers to high rank, promoting of course their trulls to a station where manners and morals were under their influence; and this added to the horrible example set by Buonaparte himself, in his own interior, putting every thing honest or sacred out of countenance and out of fashion. Add to this, what must have sent down the contagion to the lower orders—the conscription: the wretched men marrying without preference merely to avoid the army, and then running into that army to escape from their ill-chosen partners; all these causes must have conspired to make a frightful carnage in manners and morals too. In short, I am persuaded that a single monster has done more to demoralize and uncivilize this country than a century can repair. I am disposed to attribute to the same causes the growing fanaticism of England. In Ireland we had little to lose in civilization; but look at our late extravagances, and see at least how much we

have lost in our own and in the opinion of others. For years to come, I see no hope; we have the anguish of being ourselves the cause of not going forward a little in the march of the world, but of still remaining a by-word among nations. Patriotic affectation is almost as bad as personal, but I declare I think these things do a good deal in sinking my health, which is far from good; my spirits quite on the ground; and yet as to Ireland, I never saw but one alternative—a bridewell or a guard-house; with England the first, with France the other. We might have had a mollification, and the bolts lightened, and a chance of progression; but that I now give up.

"I really wish the thing with myself over; and trust me that wish is not irreligious or peevish, but rather a good-humoured feeling, that, not wishing to eat more, I may be better by rising from table; 'enough is as good as a feast.'

"I am every hour more and more confirmed as to my ideas of society; it is not for those that think or feel; it is one fool

getting on the back of many, to fly from himself. In France you can scarcely make even that experiment, for all here agree that at *the present moment* all society is dead. Nor is it wonderful, that, when all the actors on the great scene are changed, the parts should be badly performed; but still I have found society, as it is called, and met a great deal of kindness, and some persons of talent; but even there I found society an orchestra, where the fiddlers were putting one another out, or rather where one played a solo, and every other bow was soaped.

"At this moment my friend enters; he differs totally from my opinion, saying, 'I have lived single in a great city; few friends, many acquaintances; I think I have done right and shall continue. Sameness would cloy. How many happy matches have you seen? How many faithful friendships? Too much intimacy lays you bare; your little infirmities diminish respect, perhaps excite disgust, perhaps end in hatred. With the same persons and those

few, what chance of having yourself, or finding in them, the attachment, the good temper, and good sense necessary for bearing and forbearing? You have complained of being spit upon—but you can easily curse them, make a polite bow, and go away; but that would be no cause for breaking a closer attachment. Are you not conscious, that you have observed, since we have been so much together, some faults in me not observed before? Have you no suspicion of reprisal?' All this I treated as misanthropic cant—he retorted on me, 'What is your select attachment but general intolerance? What is this syrup of concentrated affection but extract from the wormwood of embittered irritability? When has any man ever found the male or the female inmate always equal, patient, and amiable? or even suppose it, will not sickness or death rend the bond, and leave you or them in a desert? As to me, I can bear almost every-body; the grave-digger, I laugh at. I cannot weep over myself when I'm gone, and I

will not over any body else.' He pressed me to say if I seriously thought there was nothing in these topics. I told him I had frequently been presented with them before, but was not exactly in a frame for an *ulterius concilium.* In truth, it was rather memory awakened, than opinion shaken, that made me disposed to silence; but of this enough for the present.

"I found myself all abaft. We agreed to go to *la chambre des deputès.* One of the members chanced to have heard of my name, was extremely courteous, lamented that I should be a mere auditor, but he would take care that I should be placed according to my high worthiness. We were accordingly placed *aux premieres tribunes:* the question was to be of the liberty of the press, and of a previous censorship. The baron had some difficulty in working us forward, and said how happy he was in succeeding. I assured him I was greatly delighted by the difficulty, as it marked the just point of solicitude of the public. The chamber is

very handsome; the president faces the assembly; before him is a tribune, which the orator ascends, and reads his speech with his back to the president—we waited anxiously. I thought I shared in the throb of a public heart. We observed some bustle; the seats of the interior, reserved for the members, became crowded to excess by ladies admitted I know not how. The order for strangers to retire was read—the ladies would not stir. The president could find no remedy, and adjourned the house to next day. I was rather disgusted: the baron asked me what we would have done in England? I said we had too much respect for our ladies to permit them to remain—he shook his head: I did not understand what he meant. But does not this prove, what I said a day or two ago (for this is written by starts) to be true, 'that women here have only a mock respect?' if real, would they have dreamed of such a silly termagancy? Does it not mark their unfeeling coxcombry and apathy in the pub-

lic interest, and how fit they are to be the mothers of the Gracchi? And yet women here are vain of their sway. I can imagine nothing more humiliating than such Saturnalian licentiousness.

"However, I went next day. There was a previous list of the orators, pro and con: they mounted alternately, and read written speeches. The echo was strong; I lost much. But how can any man read his own speech? He may the speech of the dead or the absent;—it is any thing but discussion. The orator swabs his face, notwithstanding the sedateness of the exertion; and when he stops to drink, which is a part of the performance, the whole assembly handle their kerchiefs, and trumpet in the most perfect time and unison, to the great animation and interest of the speech, and no doubt to the great comfort of the auditors, who must have had their secretions brimful during their attention. The question will not be decided probably in many days. The press is surely the great sentinel—it gives the light to see

and the tongue to speak. They say the Russians always eat the candles before they swallow the people. I can't tell you how interested I am; I begin to doubt if man ought to be monopolized, or his taper, however dim it may be, put under the bushel of mere private confined affection. Some, it seems, are afraid of the sudden mischiefs that might arise among a volatile people, if restraint were removed too soon; I own it never was my notion. But I know not how far these fears may be real or feigned. Such is the fate of revolutions—nothing certain but blood. The march of the captives begins through a Red Sea; and, after forty years in seeking new abodes and strange gods, the leader seldom sees the promised land, or, at least, dies before his foot has touched it. What is it, here at least, but the succession of wretches doing the duty of the hangman, till it is the turn of each to be the victim? These thoughts often console me. My dear friend, we must stay as we are; but let us look at the history of past

and the acts of present men, and learn to be patient and modest.

"You can't forget my hatred of Bonaparte; every thing I hear confirms it. When I went up to see his famous column at Boulogne, the poor muse I thought was left behind whispered at the moment,

> 'When ambition achieves her desire,
> How fortune must laugh at the joke!
> You mounted a pillar of fire,
> You sink in a pillar of smoke.'

"I am greatly pleased to have this man's extinction marked by so much abject degradation. These butchers and robbers, called conquerors, have kept their vices up by the splendour of their rise or fall; but what a fall has this man had! He retires instead of falling like a brave highwayman, or as Catiline did; he dwindles into an isl-icle, and plays the pitiful tricks of power among fishermen and washerwomen. After losing the game of the world, he sits down, like a child, to make castles with cards. Even his military talents are

questioned. They say, that having no respect for property or person, he extorted such sums of money, and thousands of men, as made resistance physically impossible, even notwithstanding an infinite number of mistakes of head and violences of temper—but here you know I am speaking without book. Still he had laid hold of the gaudiness of many, and is talked of with regret; but his rising again is, I trust in God, impossible. I do believe the present rulers mean very well, though the king has none of the vices that might recommend him here. I believe he is well taught in the school of adversity, and has a respect for whatever is good and honest. Whether he be bigoted, I don't know. An attempt was made to shut the shops on Sunday, and to carry the host in procession, but both failed; they were, however, desisted from with great temper.

"I now regret that I did not throw upon paper the things that occurred every day; I have often regretted the omission. I would advise you to keep a journal of

that kind; it will cost very little trouble, and will have the freshness of being ready gathered, not faded by forgetfulness and cold and laboured recollection. Even while I have been scribbling this, many incidents, that glowed with life at the moment, have so lost their life, that though I rolled them they threw up nothing but water, and would be rotten before they could reach you, so I ceased all attempts to revive them. I had twenty things, the first few days, to say of my host, and his wife, and his daughter. It seems they fled to Lubec at the first horrors of the revolution, and the children were born there; the girl, I thought, seemed to have a good opinion of me, and I thought her good taste ought to make amends for her want of beauty; and certainly she had brought a very scanty viaticum of charms from the north. About the end of the first week, meaning to be very sweet, she assured me I had the best English accent she ever heard, and that it was exactly the same as that of her

English master. During this chat, in marches this teacher. The scoundrel is a German, who went to London at five and twenty, and returned, after four years, to teach the purity of their language in Paris. Poor girl! I turned her regimentals at the moment, and remanded her to her ugliness. However, all is well, for she knows nothing of the crime, or the sentence, or the pardon. The father and mother are very good sort of people, and have saved me from some small impositions; for really nothing can be so shameless and abject as the frauds upon strangers. Even at the coffee-house where I breakfast, the keeper of it, a very genteel woman, makes me almost every day pay a different price for the same thing. It is still only fair to say, the French are the civilest people upon earth, and I really believe sincerely good natured to strangers. Two nights ago I was overtaken by the national guard: I asked the officer my way; he answered so courteously, that I ventured a question or two more; he continued the same good

nature, and the private next behind him assisted in doing the duties of hospitality. I said I was afraid he had led me to pass the line of respect to him, but his answer was and in the kindest tone, Sir, a stranger '*comme il faut*,' can never pass it in France. I doubt if I should have found it so in England. Apropos! I am quite sure the two nations hate each other as devoutly as ever; and I think their respective imperfections of character will be kept alive by the mutual spirit of contempt. Paris will think it graceful to be volatile, as long as London thinks it dignified to be dull."

"TO THE SAME.

"Paris.

"MY DEAR LUBE,

"I write again, because I judge from myself, and how kindly I felt your last, that you would like to hear from me; perhaps the not being able to abstain from writing to the absent is the only certain proof that distance and memory are com-

patible: however, the compliment is not great, when you know that I have flung myself upon you as a correspondent only at those intervals when I could not bear my own company. The thermometer has been higher here lately than at any former time. Close, dirty streets, stewing play-houses, and a burning sun, have, perhaps naturally enough, completed the extreme depression of my spirits, and made me fit for nothing. I endeavour to dissipate, by wasting myself upon spectacles—but it won't do: this day I thought to look for something gay in the catacombs. It seems all Paris stands upon a vaulted quarry, out of which the stone to build it has been taken, and it is not very rare to see an entire house sink down to its original home, and disappear. Part of this excavation has been fitted up as a residence in remainder for the grave. We went down, I think, 70 steps, and traversed more than half a mile by torch, or rather taper light, and we beheld more than 2,300,000 fragments of what once was life. They amount to four times the pre-

sent population of Paris. The bones were very carefully built up, and at intervals were studded with projecting rows of skulls, with mottos occasionally written up in Latin or French. It was a sort of caravan, mostly women: one of them asked me to translate one of those; it was, I think, 'in nihilum revertitur quod ex nihilo fuit.' I asked whether it gave her a sentiment of grief, or fear, or hope? She asked me what room I could see for hope in a parcel of empty skulls? 'For that reason, madam, and because you know they cannot be filled with grief or fear, for all subject of either is past.' She replied, 'oui, et cependant c'est jolie.' I could not guess to what she applied the epithet, so I raised the taper to her face, which I had not looked at before, and had it been any thing but the mirror of death, I should have thought she had looked into it, and applied the one reflection to the other, so perfectly unimpressed was her countenance. It did not raise her in my mind, though she was not ill-looking; and when I met her above

ground, after our resurrection, she appeared fit enough for the drawing-rooms of the world, though not for the under-cellar. I don't remember ever to have had my mind compressed into so narrow a space: so many human beings, so many actors, so many sufferers, so various in human rank, so equalized in the grave! When I stared at the congregation, I could not distinguish what head had raved, or reasoned, or hoped, or burned. I looked for thought, I looked for dimples,—I asked, whither is all gone—did wisdom never flow from your lips, nor affection hang upon them—and if both or either, which was the most exalting—which the most fascinating? All silent. They left me to answer for them, 'So shall the fairest face appear.'

"I was full of the subject. In the evening I went to distract at the comedy of le Misanthrope, the best of Moliere. The severe affection of Alceste, and the heartless coquetry of Celimène, were excellently done. It is not only tragedy that weeps —Golgotha was still an incubus upon me.

I saw the moral of the piece went far beyond the stage—it only began there. Every good play ought to be just in the particular fable. It ought also (to be useful) to have a general analogy far more extensive and equally exact. Alceste is man in the abstract—Celimène is the object of his wish, whatever that may be; she smiles, and caresses, and promises. He thinks he feels the blood in her heart, for he mistakes the pulse of his own for that of hers; he embraces the phantom, or thinks he does so, but is betrayed, and opens his eyes upon the desert: at the moment he does not recollect that the loss to him is little; 'tis only the loss of himself—to her it is nothing, for it is made up in the next conscription; and, at all events, whether sick or wounded, the march of man's warfare is never suspended; the moving infirmary never halts, and every day brings him a stage nearer *à la barrière d'enfer*, the entrance of the catacombs.

"This sad subject naturally turns me to another, that makes me suspect that my

contempt of this world is not quite sincere. I mean the poor extravasated Irish that I meet here; I meet their ghosts as I pass, and view them as Eneas did,

'Quos abstulit atra dies et funere miscet acerbo.'

How can I affect to despise a scene where my heart bleeds for every sufferer? I wish to disperse my feelings as a citizen of the world, and break my own monopoly of them, but they all come back to our unhappy country. One of the most beautiful touches of the prince of sensitive poets is where he tinges the wanderings of Dido with patriotism,

——'Sæpè longum incomitata videtur
Ire viam et Tyrios deserta quærere terra.'

By the by, it does some credit to the character of humanity that we sometimes exchange the suffering of egotism for a nobler sympathy, and lament over others instead of keeping all our tears for ourselves. What exquisite nectar must they be to those over whom they are shed!

Nor perhaps should the assurance that they don't suffer alone be always withheld, because it may not be always true; because, for the purpose of consolation, it is enough if it be believed, whether true or not: if the payment is complete, is it worth while to inquire whether the coin be counterfeit or not? But with respect to our poor exiles the sympathy is most sincere as well as ardent: I had hopes that England might let them back. The season and the power of mischief is long past; the number is almost too small to do credit to the mercy that casts a look upon them. But they are destined to give their last recollection of the green fields they are never to behold, on a foreign death-bed, and to lose the sad delight of fancied visits to them in a distant grave—

* * * * * *

"I continue to feel an increasing dislike of every thing here; I probably sha'n't remain long. I have left some things in Ireland unsettled that I must arrange, however I may dispose of myself hereafter.

England can't arrest me long; I have never found any good in watering places. My malady, a constitutional dejection, can hope for no remedy in water or in wine. In general, the benefit of those places is attributed to the attendant temperance, but a person little given to excess any where has not much to add in that way; and as to evening parties, in a crowd of strangers, I never liked them, nor was fit for them: I have therefore given my evenings to the theatres—I prefer them to English, notwithstanding the difficulty of a foreign language. I prefer the style of their stage to ours: ours always appeared to me flat and dull, with never more than one or two of tolerable merit; on the contrary, here you never find any very bad. A comic nation is perpetually sending young aspirants to Paris, where of course there can be no dearth. In England you must put up with what you can get. No doubt, it is hard to find any exact principles of acting; 'tis in a great degree arbitrary and accidental—still nature will

assert certain boundaries. In France there may be bombast and tinsel, and the eternal monotony of amour in their plays is liable to objections, lying much deeper than the mere criticism of the stage; it goes vitally to the morals and manners of the people —it goes to make the woman a bad sort of man, and the man a bad sort of woman —it goes to take away the solid basis of every virtue of either sex: it leaves the man little to wish, to the woman little to bestow; it annihilates the fine spirit of attachment. What can he feel for confidences given on a principle of good breeding? To fascinate, there must be no doubt of its being exclusive. When I am writing my bad verses, I would spurn the muse, if I suspected her of whispering the same idea to twenty other poetasters. On the same principle, if you have only the sixty-fourth of a ticket in the lottery of regard, the prize is in fact a blank. How can you join in triumph with sixty-three other fortunate adventurers? Still these exhibitions amuse; the acting is flippant and graceful,

and the music sometimes excellent. The English, who have no national music, affect to despise French. It is sometimes, perhaps, tinselish; but I own it frequently catches my fancy, and even my heart.

* * * * * * *

"I am not sorry for having come hither when I did—perhaps you see society better when cut into piecemeal, as in anatomy every thing is laid bare to the student—perhaps it is seen to great disadvantage. The best lesson that man can learn is toleration, and travelling ought to be the best school. There are many points in which this people must be allowed praise—lively, cheerful—a constitutional philosophy, disposing them to be always satisfied. I wish, as to government, they could be brought to an anchor—whether that is to happen, who can tell? Nothing can be more divided than the general sentiment: the higher military men have got safe into harbour, and wish perhaps for quiet—all under them most discontented—long arrears due. They can't employ them abroad, for want of money; and when the devil is

raised, and can't be kept in work—we know the story. The favour to Buonaparte is the more singular, because, allowing for his extraordinary energy, I doubt if he had a single great quality. It is clear he was no statesman; force alone was sufficient for all he did. Men here of the best authority pronounce him a man of uncommon energy in action, but of no talent for retreat. The question is of more curiosity than moment. If otherwise, it might not be easy to know what credit to give to these criticisms.

"22d.—At last we have got our passports, and ordered a carriage for to-morrow. We shall go by Dieppe. Neither my fellow-traveller nor myself in the best health or spirits: I have a great kindness for him, though no human beings can be more different. I don't think diversity is incompatible with friendship or affection; but strong contrariety, I fear, is. How different are they from the volatility of France, as well as from the loud, ardent, indiscreet vehemence of our poor people. Certainly it is not mere interest that forms the weight to the clock, though the utter

want of any regulating power makes it a sad time-piece. But I consider it now as nearly a '*conclamatum est*,' and the insurrection act little other than a monumental inscription.

"London.—Tuesday.—(A new venue.)—After a day spent at Dieppe, we sailed; and, after forty hours, landed at Brighton. I don't like the state of my health; if it was merely *maladie* under sailing orders for the undiscovered country, I should not quarrel with the passport. There is nothing gloomy in my religious impressions, though I trust they are not shallow: I ought to have been better—I know also that others have been as blameable; and I have rather a cheerful reliance upon mercy than an abject fear of justice. Or were it otherwise, I have a much greater fear of suffering than of death.

"I had almost made up my mind to bestow a citizen to France, and I am mortified at finding any drag upon the intention—yet a drag there is. I have no doubt that the revolution has thrown that coun-

try a century back, yet she has qualities that might have hoped a better destiny. It has been suggested to me that a winter in Paris might answer better.

"I just now return from a long conversation with the truly royal personage*, who saves you the postage of this. A few days must, I now think, take me across.—I think of meeting some persons at Cheltenham. As to waters, I suspect they are seldom of use. I am quite decided against them, till Charon pledges me on the Styx.

"Yours, very truly,

"J. P. CURRAN."

The following letter, written in 1815, concludes the series of his private correspondence:

"London.

"DEAR LUBE,

"As I sit down to write, I am broken in upon. In sooth I had little to

* H. R. H. the Duke of Sussex.

say—the mere sending this is full proof that I have escaped being supped upon by Jonas's landlord, or any of his subjects. I sailed Wednesday night, and arrived here at half-past six this morning, sound and sad. Kings and generals as cheap as dirt, and yet so much more valuable a thing as a lodging as dear as two eggs a penny. Saturday, not being a day of business in the house, I met nobody; though I did not go to bed on my arrival: the little I have heard confirms the idea you know I entertained of the flatness of a certain political project; it could not pass unopposed, and in such a conflict, the expenditure of money to make a voter a knave, that you might be an honest senator, would, in such a swarm of locusts, surpass all calculation. However, I know nothing distinctly as yet, therefore I merely persevere in the notion I stated to you.

"I have just seen the immortal Blucher. The gentlemen and ladies of the mob huzza him out of his den, like a wild beast to his offal; and this is repeated every quarter

of an hour, to their great delight, and for aught appears, not at all to his dissatisfaction. I am now going to dine with a friend, before whose house the illustrious monarchs proceed to their surfeit at Guildhall. No doubt we shall have the newspapers in a state of eructation for at least a week.—But I must close.

"J. P. C."

The short remainder of Mr. Curran's life was passed principally between Dublin and London. Notwithstanding the decline of his health and spirits, the vigour of his mind continued unimpaired, and probably added to his indisposition, by the constant impatience of inactivity in which it kept him. He occasionally returned to the literary projects already mentioned; but to speak had been the business of his life, and his mind could not now submit itself to the solitary labours of the closet. He still continued to look

towards parliament, rather, perhaps, to give himself some nominal object, than from any hope or desire to be there. While in London he sometimes attended and spoke at public dinners. Both there and in Ireland his time was usually spent in the society of his intimate friends, whom his powers, as a companion, delighted to the last.

In the spring of 1817, he began to sink rapidly. While dining with his friend, Mr. Thomas Moore, he suffered a slight paralytic attack in one of his hands. He was also incommoded by frequent oppression in his chest, for which, as well as for his general health, his medical advisers recommended him to visit the milder climate of the south of Europe. Preparatory to following that advice, he passed over to Dublin, in July, to arrange his private affairs. But his friends could perceive, by his altered looks, that the hour of final separation was fast approaching. Of this he was not insensible himself. As he walked through the grounds of his

country seat, with Mr. M'Nally, he spoke of the impending event with tranquillity and resignation.

> "I melt (said he) and am not
> Of stronger earth than others.
>
> *I wish it was all over.*"

On the day of his departure for England, after having parted in the ordinary way from another of his friends, he returned suddenly and grasped his hand, saying, in an affectionate, but firm tone, "you will never behold me more." He had a short time before, when leaving Cheltenham, handed the following little impromptu, as a final adieu to a family there (Sir Arthur Brooke Faulkener's), from whom he had received peculiar marks of hospitality and kindness:

> "For welcome warm, for greeting kind,
> The present thanks the tongue can tell;
> But soon the heart no tongue may find,
> Then thank thee in a sad farewell!"

As Mr. Curran travelled between Holyhead and Cheltenham he was re-visited by

paralytic symptoms. Upon his arrival at the latter place, doubtful of the nature of the recent attack, he requested of a medical friend to examine his pulse, and to declare explicitly whether it indicated any disposition to palsy. The physician assured him, that there was no indication of the kind. "Then," said Mr. Curran, "I suppose I am to consider what has lately happened as a runaway knock, and not a notice to quit."

He arrived in London in September, where he proposed to pass the winter, still intending to proceed to the south of France, or Italy, in the commencement of the ensuing spring. His spirits were now in a state of the most distressing depression. He complained of having "a mountain of lead upon his heart." This despondency he increased by dwelling perpetually upon the condition of Ireland, which his imagination was for ever representing to him as doomed to endless divisions and degradation. A few days before his last illness he dined with his friend,

the late Mr. James Thompson*. After dinner he was for a while cheerful and animated, but some allusion having been made to Irish politics, he instantly hung down his head, and burst into tears. On the 7th of October, a swelling appeared over one of his eyes, to which, attributing it to cold, he gave little attention. On the night of the 8th, he was attacked by apoplexy. He was attended by two eminent physicians, Doctors Badham and Ainslie, and by Mr. Tegart, of Pall Mall, all of whom pronounced his recovery to be impossible. The utmost efforts of their skill could not protract his existence many days. Mr. Curran expired at nine o'clock at night, on the 14th of October, 1817, in the 68th year of his age. During his short illness, he appeared entirely free from pain; he was speechless from the commencement of the attack, and, with the exception of a few intervals, quite insen-

* Of Chapel-street, Grosvenor-place; a gentleman who was deservedly high in the regard and respect of all who had the good fortune to know him.

sible. His last minutes were so placid, that those who watched over him could not mark the exact moment of expiration. Three of his children, his son-in-law, and daughter-in-law, and his old and attached friend, Mr. Godwin, surrounded his death-bed, and performed the last offices of piety and respect.

Mr. Curran's funeral did not take place till the 4th of November. His will, which it was supposed would have contained his own instructions upon the subject, having been left in Ireland, it was found necessary to await the examination of that document, and the directions of the executors. In the interval, Mr. Daniel O'Connel, who was at Bath, and on the point of setting out with his family for Dublin, having received information of Mr. Curran's death, very generously sacrificed every consideration of private convenience, and hastened up to London, to attend his deceased countryman to the grave: an act of affectionate respect which was peculiarly honourable to that gentle-

man, between whom and Mr. Curran a considerable misunderstanding had latterly existed upon the subject of catholic politics. It was the anxious desire of Mr. O'Connel, and of several other friends of Mr. Curran, who were upon the spot, that his remains should be transported to his own country, in order to give a people, with whose interests and destiny the departed advocate had so entirely identified his own, a final opportunity of publicly testifying their admiration and regret. Those who advised this measure were aware that he had himself (when he felt his end approaching) found a source of affecting consolation in the hope that, wherever it should be his fate to expire, Ireland would claim him. "The last duties (he pathetically observed in one of his latest letters) will be paid by that country on which they are devolved; nor will it be for charity that a little earth shall be given to my bones. Tenderly will those duties be paid, as the debt of well-earned affection, and of gratitude not ashamed

of her tears." But with this last wish it was now found impossible to comply. His will was altogether silent regarding his interment; and of the four executors whom he had appointed only one was present in Dublin. That excellent person (Mr. John Franks, of the Irish bar) had he been left to the exercise of his sole discretion, would have yielded to none in performing any act of honour or affection to the memory of his friend; but in consequence of the absence of the other executors, and from several legal considerations, he could not feel himself justified in authorising any departure from the ordinary course. Mr. Curran's remains were, therefore, privately interred in London, in one of the vaults of Paddington church*.

* The persons who attended his funeral were (besides the members of his own family) Mr. Tegart, Messrs. Lyne and Phillips, of the Irish bar, Mr. Finnerty, the late Mr. James Thompson, the Rev. George Croly, Mr. Thomas Moore, and Mr. Godwin. Mr. O'Connel's professional engagements had obliged him reluctantly to depart for Ireland before the day of Mr. Curran's interment.

CHAPTER IX.

Observations on Mr. Curran's eloquence—Objections to his style considered—His habits of preparation for public speaking—His ideas of popular eloquence—His pathos—Variety of his powers—His imagination—Peculiarity of his images—His use of ridicule—Propensity to metaphor—Irish eloquence—Its origin—Mr. Curran's and Burke's eloquence compared.

For the last twenty years of his life, Mr. Curran enjoyed the reputation of being the most eloquent advocate that had ever appeared at the Irish bar; and if future times shall hold his genius in estimation, it is his eloquence which must entitle him to that distinction. His name may, indeed, derive a still more splendid claim to posthumous respect, from the purity and manliness of his public conduct, during times when the hearts and nerves of so many others were tried, and sunk beneath the proof. Divested of this, his eloquence would have been comparatively worthless.

Orators are common characters; but it is not so common to find a man, upon every occasion of his life, preferring his public duty to his personal advancement—conducting himself, amidst the shock of civil contentions, with danger and allurements on every side, so as to command the entire approbation of his own conscience, and the more impartial, though not more valuable, applause of that succeeding time which is a stranger to the particular interests and passions that might bias its decisions. This period has not yet come; but it may be asserted that it is approaching, and that when it shall actually arrive, Mr. Curran's memory has nothing to fear from its judgment. Before this tribunal it will be admitted that he, and the few who joined him, in making (in defiance of much momentary opprobrium) an undaunted stand against those sinister measures upon which the framers have subsequently reflected with shame, were but exercising the right of superior minds, whose privilege it is to discern, amidst the

tumult of conflicting opinions, and the hasty expedients of ephemeral sagacity, what alone is permanently wise and good—to judge the men, and acts of their own day, with the same unbetraying firmness with which they judge the times that have passed, and with which posterity will judge themselves. It will not be overlooked, that it is the ordinary fate of such persons to be misconceived and reviled; that in the hour of general intoxication, the most grievous of offenders is he who passes the cup, and will not be degraded, rebuking, by his importunate sobriety, the indecent revelry that surrounds him. To have done this will be considered more rare and honourable in Mr. Curran's history, than to have been distinguished by the most commanding abilities; but in his case it is needless to dwell upon his conduct as separated from his oratory. "Words," said Mirabeau, "are things." In Mr. Curran's public life, his speeches were his acts; and all that the reader of them requires to know is, that his practice

never discredited his professions. If what he said was honest, what he did was not less so. His language and actions had a common origin and object, and cannot now be dissociated for the purpose of separate encomium or condemnation; it is out of his own mouth that he must now be judged.

His eloquence was original, not formed by the imitation of any preceding model, so much as resulting from his individual constitution of mind and temperament, and from the particular nature of the society and the scenes upon which he was thrown. With the same advantages of education elsewhere, he would undoubtedly have risen above the ordinary level—he possessed powers too uncommon to keep him long in obscurity; but it required the theatre upon which his life was passed, to give them that exact direction to which his oratory is indebted for its peculiar character. The history of his mind is, in this respect, intimately connected with that of his country.

By nature ardent, of the most acute sensibility, instinctively alive to every social gratification, he passed his infancy and youth among those ranks where such qualities are the peculiar objects of applause. The heart naturally cherishes the scenes and authors of its first indulgences; and Mr. Curran entered upon his career of public life strongly attached to that order of the community which he had first known, and of which, notwithstanding his accidental elevation, he considered himself as a part, and as bound to their interests by every motive of sympathy and duty. This early inclination to the popular cause could not fail to be encouraged by the condition of the times—by the successful efforts of America, which excited so much imitative enthusiasm in Ireland—and by those consequent movements of patriotic spirit which preceded the revolution of 1782. But, above all, there was in his daily view the degraded condition of his fellow-subjects; a spectacle which, without any

farther incentive, might readily awaken, in a feeling breast, much suspicion of the wisdom and humanity of the government that could countenance such a system. Nor did his mind, when it ascended from his own personal impulses to the less questionable conclusions of England's great legal and constitutional authorities, discover any thing that should make him pause in his estimate of the importance of the people's privileges. In contemplating the British constitution, to the fullest benefits of which he never ceased to vindicate his country's most undoubted claim, his first and his last conviction was, that no matter by what terms it might be described, it was essentially popular; that the original elemental principle which gave it life and vigour, and which alone could give it permanency, was the subject's freedom; that this, the most vital part, experience had shewn to be most exposed to unconstitutional invasion; and that, as long as this practical tendency subsisted, it behoved every friend to the throne and

the laws to demonstrate his attachment, not by a parade of simulated or fanatic loyalty, but by upholding, on every occasion, the dignity and the spirit of the subject. But, whatever was the cause, whether the original character of his mind, or the influence of early associations, or his education, or the passing scene, or, as seems most probable, all of them combined, he no sooner appeared than he declared himself the advocate of the people's rights, a title which he ever after supported with an ardour and constancy that leave no doubt of his sincerity.

It was the intensity of this feeling, which obstacles soon matured into a passion, that gave such an uncommon interest to his oratory. Whatever may be the opinion of the expediency of such popular tenets, there is a natural magnificence about them, when presented through the medium of a fervid imagination, to which the most unsympathising are compelled to pay a momentary homage—to those who are persuaded of their truth, and who feel

that they have been defrauded of their benefits, they come as oracles fraught with rapture and consolation.

In all Mr. Curran's political speeches this sentiment of devoted attachment to liberty and to country is conspicuous, animating and dignifying every topic that he advances. It cannot be too frequently repeated (and to attest it is a debt that Ireland owes his memory) that in his most vehement assertion of her rights, he was most conscientiously sincere. His love of Ireland was of no vulgar and fickle kind, originating in interest, vanity, or ambition. Ireland was the choice of his youth, and was from first to last regarded by him, not so much with the feelings of a patriot as with the romantic idolatry of a lover. To her his heart was contracted for better and for worse; to her "what he had to give he gave," confederating all his most cherished projects with her wayward fortunes, and surrendering to her service all the resources of his genius, in the successive stages of her pride, her hopes, her

struggles, and her despair. In him every man who knew him knew that these were not common-place pretences, which he put forth as mere instruments of rhetoric: the most sensitive of his audience were never under more subjection to his enthusiasm than he was himself; and it was in the evidence of this fact, more than in any art, that lay the extraordinary fascination of his manner. There was no elaborate ardour, no technical impetuosity; nothing to imply that while his lips were on fire his heart might be cold; but every look, tone, and gesture, carried with them the conviction, that if he were deluding them he was deluding himself.

Much of this fervour may be collected from his printed speeches, but let the reader of them, in justice to their author, recollect that he is a reader, not an auditor; that though he may find the words, and even these imperfectly recorded, he finds not all those accompaniments, without which the language is but a cold monumental image of the thoughts

that once glowed with living energy. The words remain, but the eye before which judges and juries have so often shrunk—the unaffected and finely varying tones of indignant remonstrance, or of tender expostulation—the solemn and pathetic pause that embodied in a moment's silence more of passion and persuasion than any spoken eloquence could convey—for these, and for much more than these, the reader must necessarily look in vain; and without them his estimate of the orator's entire powers must be as conjectural, as if he should undertake to appreciate the merits of some departed ornament of the stage from a tame perusal of the scenes to which he alone had imparted all the warmth and dignity of life.

Mr. Curran's speeches have met with some unfavourable criticism out of Ireland; and, though many of the objections may be founded, many have also been made without a sufficient advertence to the scenes which accompanied their delivery. It is found that there are passages and

descriptions too strong, and even shocking for the closet. One of their principal merits was, that they were never intended for the closet: they were intended for occasions of emergency and despair; to excite passions of such force as to counteract the violence of those that already raged; to rescue the accused, and not to propitiate the critic. Yet even the critic, who condemns the taste that could paint the perjured informer, and other public delinquents, in such loathsome colours as the Irish advocate employed, should remember, that upon this subject his own rules will justify an important distinction. A writer who, in works of mere invention, where he has the selection of his topics, takes a delight in dwelling upon revolting ideas, may be justly accused of being unhappy and perverted in his taste; but this is only where the introduction of such images is gratuitous, and not naturally arising from the horror of the situation. We should proscribe such situations altogether, were we fastidiously to reject

the only colours in which they could be painted. We do not complain of Burns for the "father's grey hairs sticking to the heft*," nor of Campbell for the "life-Blood oozing through the sod †:"—Juliet is not hissed off the stage for her anticipated loathings in the tomb of the Capulets: so also it is but fair to judge of similar passages of Mr. Curran's oratory, and with this additional consideration, that instead of inventing, he was but describing existing facts and characters, in pourtraying which no language or illustration could surpass the nauseous reality. Before he had described the perjured witness as emerging from "those catacombs of living death, where the wretch that is buried a *man* lies till his heart has time to fester and dissolve, and is then dug up an *informer*;" he had day after day seen those horrid apparitions stalk upon the public table, and he had himself been almost scared from his duty by the frightful glarings with which they would have con-

* Tam O'Shanter. † O'Connor's child.

verted the general execration into general dread,—into "the undissembled homage of deferential horror*."

A more sustainable objection to his style is the exuberance and occasional extravagance of his imagery. It would be no defence of him to say that he could not avoid it; that, in the ardour of extemporaneous creation, his mind frequently lost all authority over its associations. It was, indeed, the fact, that his imagination

* "I have been eighteen years at this bar, and never until this year (1794) have I seen such witnesses supporting charges of this kind with such abandoned profligacy. In one case, where men were on their trial for their lives, I felt myself involuntarily shrinking under your lordship's protection from the miscreant who leaped upon the table and announced himself a witness. I was trusting in God, that these strange exhibitions would be confined to the remote parts of the country. I was astonished to see them parading through the capital; but I feel that the night of unenlightened wretchedness is fast approaching, when a man shall be judged before he is tried—when the advocate shall be libelled for performing his duty to his client, that right of human nature—when the victim shall be hunted down, not because he is criminal, but because he is obnoxious."

Mr. Curran's Defence of Dr. Drennan, 1794.

did often tyrannise over his other faculties, and that many wayward ideas were precipitated into existence by the still pressing throng that followed before his taste had time to suppress or adorn them. This defect was, perhaps, in some degree organic; perhaps discipline and caution might have corrected it; but unless he had altogether changed his modes of intellectual exercise, it could scarcely be expected that any care could have entirely removed it.

The dangers of offending against good taste depend in a great measure upon the class of the mental powers that are employed. They who confine themselves to the exercise of those of reasoning, may continue from day to day to give extemporaneous utterance to every idea; and though they fail in their logic with every breath, may still avoid the smallest violation of good taste. But when the mind ascends to subjects of invention and imagination, there is no longer this security. Where is the poet the most intuitively correct, who

does not reject much which at first had pleased; whose mind has not been even incommoded by the intrusion of many fantastic combinations, which, instead of venturing to express in language, he crushes at the moment of their birth? And it is only by exercising this right over the children of his fancy, by condemning the deformed to an early death, that of those who are permitted to survive, none are without beauty and proportion. The orator who in the same way aspires to create, and who, like Mr. Curran, defers the work till he is excited by the presence of a public audience, has to encounter all the dangers of the poet, without enjoying his privileges. The same fervour and impetuosity that lead to felicity, will often hurry him into extravagance: the latter, once produced, cannot be recalled—he has no leisure to soften, and mould, and reconcile; and hence conceptions, which in his cooler moments he would have suppressed, or have rendered worthy of himself, remain irrevocably accusers of his taste.

But perhaps this subject will be most readily explained, by adverting to Mr. Curran's habits of preparation for public speaking.

From the first experiment of his talents, in London, till he had attained some eminence at the bar, he never composed his speeches for the purpose of delivering them from memory; but both at the debating societies, and during his early years at the bar, he used to assist his mind by ample notes upon the questions to which he had to speak. When his reputation rose, he for a while adopted the former method; but such written attempts having proved comparatively stiff and cold, and in every way greatly inferior to his more extemporaneous effusions, his own judgment, and the advice of his friends, induced him for ever to abandon that plan, and adhere to the one more suited to the habits and character of his mind.

There was something peculiar and desultory in his manner of considering the important questions that he had to meet.

He very rarely retired formally to his closet: it was as he walked in the hall of the courts, or as he rode between Dublin and his country seat, or during his evening strolls through his own grounds, that he meditated his subjects. Sometimes as he lay in bed, he had (like Rousseau*, and with a more fortunate memory) creative visitations, which he often declared were to him more delightful than repose. One of his most usual and favourite times of meditation, was when he had his violin or violencello in his hand: he would thus forget himself for hours, running voluntaries over the strings, or executing some trivial air, while his imagination was far away, collecting its forces for the coming emergency.

* "Je méditois dans mon lit à yeux fermès, et je tournois et retournois dans ma tête mes périodes avec des peines incroyables; puis quand j'étois parvenu a en être content, je les deposois dans ma memoire, jusqu'à ce que je pusse les mettre sur le papier; mais le temps de me lever et de m'habiller me faisoit tout perdre, et quand je m'etois mis a mon papier, il ne me venoit presque plus rien de ce que j'avois composé."—*Confessions de Rousseau.*

Many of his finest passages were extemporaneous bursts, but many were thus prepared. It is, however, worth observing, that he seldom committed them *verbally* to memory. He contemplated the topics and images until he had secured them beyond the danger of escape, and when the occasion came, and the same train of associations was revived, his mind not so much recollected, as repeated anew the operations by which it had originally created. He had not the words of a single sentence by heart; he had the leading ideas, and trusted to their reappearance to recall the same diction and imagery which had been suggested at the first interview. But it almost invariably happened that his own expectations were far exceeded, and that when his mind came to be more intensely heated by his subject, and by that inspiring confidence which a public audience seldom fails to infuse into all who are sufficiently gifted to receive it, a multitude of new ideas, adding vigour or ornament, were given off; and it also happened, that in

the same prolific moments, and as almost their inevitable consequence, some crude and fantastic notions escaped; which, if they impeach their author's taste, at least leave him the merit of a splendid fault which none but men of genius can commit.

This was the account that he gave of his own intellectual habits, which he recommended to the imitation of all who aspired to excel in oratory: for according to his idea of popular eloquence, a facility of extemporaneous creation and arrangement, and of adapting and modifying according to the occasion, the produce of previous meditation, was indispensable: without it a person might be an elegant composer, and a skilful reciter and actor, but being necessarily at the mercy of every unforeseen contingency, could never be an orator. The practice of writing speeches and delivering them from memory, he strongly reprobated; he considered that it not only cut off the speaker from the benefit of those accidental bursts which so often turn the fortune of the

day, and for which no anticipating sagacity can provide; but that when exclusively persevered in for any time, it directly tended to debilitate his mind; that instead of habituating him to a manly confidence in his own resources, and to that generous surrender of himself to the enthusiasm of the moment, which can almost impart the gift of miracles to those who put their faith in it, and which, even where it leads astray, will carry away the audience in its train, it generated a noxious taste for verbal finery—for epigram, antithesis, and inanimate declamation; and along with this, a pusillanimous and irrecoverable apprehension of failing to be correct, so destructive of that spirit of adventure, and occasionally heedless intrepidity, without which there is no plunging into the deeper recesses of human passions. So strongly was he impressed with the opinion that real eloquence demanded the fullest measure of extemporaneous ardour and ability, that when, about a year before his death, he was urgently solicited

to address a jury in defence of a friend against whom an action for a libel was depending, he could not bring himself to comply with the request, however honourable and complimentary; assigning as one of his reasons, his suspicion that after a *desuetude* of ten years, added to the more temperate and hesitating views which his judicial functions during that period had imposed, his mind might have become too rigid to yield to all the impulses of popular emotion with the same prompt and fortunate reliance which had secured the triumphs of his younger days*:

He was unaffectedly communicative to his young friends of the bar who consulted

* One of Mr. Curran's greatest and longest efforts was his defence of Mr. Hamilton Rowan. The following is a copy of the notes from which he spoke upon that occasion, and their small number will shew his dependence upon his own mind, without much technical aid.

"*To arms.*—2°. Reform—3°. Catholic emancip.—4°. Convention—now unlawful—Consequence of conviction—Trials before revolution—Drowned—Lambert—Muir—Character of R.—furnace, &c.—Rebellion smothered stalks—Redeeming spirit."

him on these subjects. Amongst other particulars, he used to tell them, that the peculiarities of his own person had had an influence in forming his style of public speaking. He was conscious that it wanted dignity and grace, and in the apprehension that vehemence might expose him to ridicule, he originally proposed to himself to become persuasive by a mild, expostulatory manner; but when he formed this resolution he was unaware of his own resources: his genius, as soon as exasperated into an exertion of its force, prevailed over all the suggestions of modest precaution. Still it may be observed in almost all his speeches, that the first propensity is perpetually declaring itself; that in the midst of all his arguments, and impetuosity, and invective, he never forgets to implore.

But independent of any study and design upon his part, it was here that he was by nature pre-eminently qualified to succeed. His speeches upon political subjects contain many affecting specimens of his pa-

thetic powers; but it was in questions confined to individual interests, where the domestic or social relations had been abused, that he exhibited the entire extent of his command over all the softer emotions of the human breast. For the secret of this power he was little indebted to books, or to the artifices of rhetoric. Its source was in his habitually intense sensibility to the affecting scenes of real life, more peculiarly to those of domestic happiness or affection, as he witnessed them in their most natural and tender forms, among those humble classes with which his original condition had first familiarised him. While yet a boy he caught an inspiration of the plaintive genius of his country, where, after all, the national genius prefers to dwell—beneath the peasant's roof. According to his own account, it was in the Irish cabin that he first learned to weep for others. He found there, what all who stoop to enter may find, the rude elements of the finest and softest affections. It was there that his young fancy, powerfully

impressed with the living spectacle of all those homely but vigorous movements of undisguised nature which touch the heart the most, unconsciously prepared itself for those pathetic descriptions at which future assemblies were to melt: and when the occasion came of calling upon his hearers for their sympathy, he had only to present to their imagination some of those pictures of tenderness or distress over which he had so often wept himself.

His pathos, however, was not confined to such delineations; much of its influence depends upon the solemn associations which it raises, upon its alliance with emotions of a higher order than individual suffering can produce. The pangs of a single victim may appeal most forcibly to our pity, but the more intense the feeling, the more it is in danger of failing in dignity. One of the charms of Mr. Curran's pathos is, that it is so often connected with patriotic sorrow, or with more extensive and enlightened regrets for the general fate of nations. He represents

the great principles of freedom as outraged and depressed, and deplores their fall; but we are perpetually reminded that they deserved a nobler destiny, and are made to feel the same sentiment of exalted melancholy, with which we would bend over the grave of one of the illustrious dead. We may lament the loss as irretrievable, but in the utmost extremity of our grief, we are elevated by the consciousness that we bear an honourable testimony to our own sensibility to departed worth.

But it was not only by successful appeals to any single passion that he surpassed every forensic speaker of his country; the wonder that he excited was owing to the rapidity of his transitions from passion to passion, from the deepest emotions that agitate the soul up to the liveliest combinations of a playful imagination. And yet this the most extraordinary and distinguishing of his powers can never be fully comprehended by those who know him only through his graver and recorded efforts. It is upon the latter that his general

and lasting fame must now depend; but in Ireland, while any of his cotemporaries who heard him survive, and perhaps long after they all shall have followed him to the grave, his name will enjoy a peculiar and scarcely less brilliant reputation in the traditional accounts of the numberless unpremeditated and magical effusions that have been no otherwise preserved; and which in the estimation of his admiring hearers would alone have rendered him the ornament and boast of the Irish bar. For more than twenty years those astonishingly varied talents, upon which the critic may now fear to pass too unqualified an encomium, converted the Irish courts of justice into a theatre of popular recreation, whither day after day the multitude delighted to flock to behold the orator in whom they gloried, going, in the space of a few moments, his rounds of the human passions and the human faculties; alternately sublime, indignant, sarcastic, subtle, playful, pathetic.

This extreme versatility, if Mr. Curran

be contemplated as a model, may be deemed a defect, but for every practical purpose its success was so decided as to justify his adopting it. Had his eloquence been more scholastic, had every topic of persuasion been selected with an eye to rhetorical observances, he would have escaped some literary reproaches, but he would have gained fewer triumphs. The juries among whom he was thrown, and for whom he originally formed his style, were not fastidious critics; they were more usually men abounding in rude unpolished sympathies, and who were ready to surrender the treasure, of which they scarcely knew the value, to him that offered them the most alluring toys. Whatever might have been his own better taste, as an advocate he soon discovered, that the surest way to persuade was to conciliate by amusing them. With them he found that his imagination might revel unrestrained; that, when once the work of intoxication was begun, every wayward fancy and wild expression was as ac-

ceptable and effectual as the most refined wit; and that the favour which they would have refused to the unattractive reasoner or to the too distant and formal orator, they had not the firmness to withhold, when solicited with the gay persuasive familiarity of a companion. These careless or licentious habits, encouraged by early applause and victory, were never thrown aside, and we can observe in almost all his productions, no matter how august the audience, or how solemn the occasion, that his mind is perpetually relapsing into its primitive indulgences.

But whatever judgment may now be passed upon those wanderings of fancy by which those who were actually allured away were too charmed to utter a reproach, it is impossible to withhold our admiration of those mental qualities in which the beauties and imperfections of Mr. Curran's eloquence had equally their origin. They both originated in that intense activity of the imaginative faculty which was the predominant characteristic of his

mind. It was in the exceeding richness of this, that consisted the essential distinctive originality of his style. It was not that his reasonings were subtle, his topics imposing, or his periods flowing; all of these may be found in others; but that what he passionately conceived, he could convey in passion's proper idiom; that his mind had familiar access to a world of splendid and vigorous illustration, whence it could select at pleasure the clothing that might best adorn, or ennoble every favourite idea; it was that nature, in the profuseness of her bounty, "filling even to overflowing," had "o'er informed" him with that supplemental poetic sense, which disdaining to recognise in objects their homely realities, is for ever delighting to invest them with attributes not their own, raising what is low, animating what is cold, veiling what is deformed, or again fearlessly tearing away the veil where some high moral purpose demands that the deformity beneath should be exposed and exaggerated,

and thus by the agency of its own creations, imparting to what the vulgar eye might view with most indifference, imagined charms or visionary horror.

The images in which Mr. Curran excelled were not of that order which it requires but a simple process of intellect, unconnected with much mental or physical emotion, to produce. There are some cultivated minds, to which so much varied knowledge is at all times present, that whatever be the subject of their thoughts, innumerable resemblances force themselves upon them, rendering them profusely figurative, but evidently without for a moment disturbing their tranquillity. But the Irish advocate's finest conceptions were the growth of the deepest sensibility. In his pathetic and descriptive bursts, so impressively did his language communicate to others the full extent of his emotions, that it might be said of him that at such moments he "felt aloud;" that his words were but the audible throbbings of his bosom labouring to vent itself in rapid,

irregular, and abrupt gushes from the excess of feeling that oppressed it.

In producing this electric sympathy between the orator and his audience, there was something more than art can teach or than nature gives to many. Its original source was in his heart and spirit as much as in his talents; in his uncompromising and impassioned identification of himself with his subjects; in that chivalrous devotion to whatever principle he espoused, which impelled him boldly to defy and silence its adversaries, by the proud tender of his own individual responsibility for its truth and honour. In this, there was much that belonged to the man, no less than to the advocate—much of previous character—of personal and mental intrepidity—of profound moral sensibility and its companion, moral pride, upon all the great questions of human rights and obligations. It was this extreme sensibility, combined with (if not itself occasioned by) a superior intellect, that filled Mr. Curran's style with so much bold and

vivid imagery. For it would be most unjust to attribute to him any deficiency of logical powers, because he so frequently supported the cause of freedom and morals, by sentiment and imagination. The very reverse was the fact. Of the dignity and importance of that cause, every sound understanding which reflects upon it is convinced; but there is a degree of intense conviction, known only to a few privileged minds, whose conclusions, instead of being the result of cold and wary deduction, flash upon them at once with all the light, and warmth of instincts; and the consequence of this rapid perception is, that they either neglect or will not submit to a formal demonstration of what they have themselves thus intuitively acquired, or that assuming the truth to be equally evident to all, they think not so much of proving as of enforcing it by imposing illustration, and by addressing their hearers' imagination and passions, in order to kindle in them the courage or the shame, without which, in defiance of their conviction, the

truth might be sacrificed to their fears or interest. This was constantly Mr. Curran's great object, and it was in effecting it that so much of his extraordinary power lay. Few speakers ever possessed such despotic controul over the honest passions of their audience, for few ever so unhesitatingly surrendered themselves to the inspiration of their own. He had the true popular temperament; there was no cold philosophic tranquillity about him, but all was life and action. His thoughts, style, and manner, "had certain vital signs." He was all his life contending for a cause, and he did it with no "half-faced fellowship;" he loved it "not wisely but too well," and not the less because it wanted friends. His cause was his religion, to which he adhered, under what he considered its persecution, with all the confiding, "desperate fidelity" of a martyr; and though his zeal might to many appear mistaken, still it was zeal, real, disinterested and fervent, affecting from its sincerity even where its tendency was least approved, and not un-

frequently communicating its flame by surprise to those who were most active in extinguishing it. At the period of those displays to which these observations more particularly refer, the times were "too deeply commoved" for affectation; his audiences saw and knew that he had none; his very irregularities proved it. He was not for ever reminding them that he was an orator; he had, not the art, but what was above art, the feeling and manliness to forget it himself. He did not consider that he was only acting a part of which the world might hereafter say, that it was well or ill supported; but that a great constitutional trust had devolved upon him, of which, heedless of the world's sentence upon his skill or conduct, he would rigidly perform all the solemn obligations. When midnight after midnight* he rose, "with darkness and with dangers compassed round," not so much with the ex-

* Several of his speeches on the state trials were delivered at that hour.

pectation of averting his client's doom, as to shew that all the decent rites of defence should be observed, or to give utterance to his own anguish at his country's fate, he took little thought of the future critic's comments. When "his soul was sick even unto fainting," he was not studying how "the stream of agony might flow decorously down his brow; how he should writhe with grace and groan in melody." Upon all those terrible occasions, he felt himself to be much more than the advocate of the mere individuals under trial; he had much to say that was not contained in his instructions. However, as a subject and a man, he might have condemned their projects or have bewailed their delusion, he still considered it his paramount duty, as the advocate of the thousands who were yet hesitating ere they plunged, and whom a gleam of mercy might recal and save,—as the advocate of himself, of society, and of the last remnant of the constitution, the privilege of complaint,—to discountenance the rage of public accusation, and to protest in his own person against the

continuance of those fatal counsels, to which he referred so much of the disasters that he witnessed and predicted.

It is impossible to read a page of his speeches without observing how much the power depends upon this impassioned feeling; and how strikingly expressive of such a high temperature are the images that he employed. Numberless examples might be given, as the descriptions of the trial and execution of Orr—of the horrors of those distracted times—of the Irish informer—of "the perjured O'Brien*, a wretch who would dip the evangelists in blood"—of Reynolds, "who measured his importance by the coffins of his victims, and appreciated his fame in the field of evidence, as the Indian warrior did in fight, by the number of scalps with which he could swell his triumphs." Many of his images, when stript of the imposing phraseology, are remarkable for their sim-

* "I have heard of assassination by sword, by pistol, and by dagger; but here is a wretch who would dip the evangelists in blood."

plicity and familiarity, and for that reason came more home to the bosoms of their hearers, as where he exclaims—"Is it possible you can bring yourselves to say to your country, when the measures of government are pregnant with danger, that at such a season the press ought to slumber upon its post, or sound nothing but adulation and praise, acting like the perfidious watchman on his round, who sees the robber wrenching the bolts, or the flames bursting from the windows, while the inhabitant is wrapt in sleep, and cries out that 'the morning is fair and all is well?'" Or where, describing the extinction of the press, he thus concludes—"It is then that freedom is at its last gasp—it is then the honest man dares not speak, because truth is too dreadful to be told—it is then the proud man scorns to speak, but, like a sturdy physician, baffled by the wayward excesses of a dying patient, retires indignantly from the bed of an unhappy wretch, whose ear is too fastidious to bear the sound of wholesome

advice—whose palate is too debauched to bear the salutary bitter that might redeem him, and therefore leaves him to the felonious piety of the slaves that talk to him of life, and strip him before he's cold."

To this extreme sensibility Mr. Curran could, for the most part, give expression in grave, energetic, and elevated language. Where the subjects before his mind were those of pity or eulogium, or of general description, passages without number may be cited, in which the most fastidious cannot complain that the dignity is unsustained. But when he was called upon, as he so often found himself, to speak in terms of reprobation; when some great public wrongs, of which he had as quick a sense as of a personal outrage, awakened his indignation, in the midst of more regular declamation, there were frequent intrusions of ludicrous association, which, at first view, may seem to form an unappropriate contrast with the prevailing solemnity of the occasion. In the generality of such instances, however, it will

appear, upon a little consideration, that the levity is in the language and not in the ruling sentiment. Ordinary disapprobation may be conveyed in terms of ordinary and serious reproach; but in ardent natures, whose habit it is to *overfeel* upon every subject, whether of praise or censure, the sense of wrong, that in a common mind would stop at comparatively moderate indignation, becomes inflamed by their fancy into feelings of intense execration quite beyond the reach of formal invective to express. Such persons are seldom satisfied with gravely reproving what they condemn; it is not enough "to tell it how they hate it;" they know that the expression of their hatred alone will not detract from the dignity of its object; that it is often but the impotent railing of an inferior. Whether it be a public or a private delinquent that they denounce, they feel that they would be allowing him to escape almost with impunity, if they did not degrade him from his social or personal rank down to the level of his

offence. To hatred they therefore add bitter ridicule; for ridicule, though not the test of truth, is the test of scorn and contempt. Humour for such a purpose (and it was for this that Mr. Curran most frequently employed it) is not levity; it has nothing of the sportings of a heart at ease, but its source is in the profoundest passion, and in that indignant haughtiness peculiar to the extreme of passion, which in its most violent paroxysm will assume a proud vindictive playfulness of exterior, lest the detested object should glory in the discovery of all the agitation that he excites, or lest it might be taken as a tribute to his importance to deem him worthy of a frown. It was in this impassioned, exaggerating spirit, upon which the particular talent of an advocate so much depends, that Mr. Curran approached every person or measure that he had occasion to arraign; whether the subject of his sarcasm happened to be a rival candidate, "whose voters might be seen coming in like the beasts of the field; in droves,

from their pastures, presenting a picture of human nature in a state of degradation such as never had been witnessed since Nebuchadnezzar was at grass;" or an Irish secretary, "regarding whom he would not imitate the ancient tyrant's practice of *torturing insects*;" or an English ministry, "a motley group, without virtue, or character, or talents—the sort of cabinet that we have laughed at on the stage, where 'the potent, grave, and reverend seniors' were composed of scene-shifters and candle-snuffers, robed in old curtains and wigged from the stores of the theatre;" or even though he should have to call the public attention to "the princely virtues and the imperial qualifications, the consummate wisdom and sagacity of our stedfast friend and ally, the Emperor of all the Russias—a constellation of all virtue, compared with whose radiance the Ursa Major but twinkles as the glowworm."

Over this, the most popular, and when skilfully managed, one of the most effective, modes of attack, Mr. Curran's fancy

gave him the entire command; and if he ever employed it to excess, or out of place, he but shared in the common failing of indolence and facility, that of preferring as best what is found the most easy and most successful. And here, in speaking of his facility in creating resemblances, whether of a humorous or a more elevated order, it is worthy of remark, that the history of his mind, in this respect, strongly favours the opinion that the powers of the imagination are as capable of improvement from cultivation as any other of the mental faculties. In Mr. Curran those powers were strikingly progressive; in his earlier attempts there is little of the usual exuberance of a juvenile imagination; they are, on the contrary, compared with his subsequent compositions, cold and prosaic, and, when considered as specimens of fancy, unworthy of the mind that produced them. The same remark applies to his conversation. It was by his conversation that he first attracted notice; but, however delightful in other respects,

it was for a long time unilluminated by those gleams of poetic conception, which in his maturer years were incessantly bursting forth. The fact was (and in this his mind was peculiar) that his imagination developed itself with such extreme slowness, that it was not till he had been for some years a candidate for public distinction that he became aware of the particular powers that were to secure his success. The consciousness of them came gradually, and was, as it were, forced upon him by the unlooked for effect of accidental and unpremeditated efforts: but becoming at length assured of the secret of his strength, his confidence, ambition, and industry were excited, and he then, almost for the first time, began formally and assiduously to encourage, both in public and private, those habits of imaginative creation, which were subsequently to form the prominent character of his mind. The consequence of thus keeping his imagination in perpetual exercise was most conspicuous, and as a mere metaphy-

sical fact is not incurious or unimportant. So great was the facility and the fertility which it produced, that, in his latter years, scarcely an idea presented itself which did not come accompanied by some illustrative image. It was by the image that he generally preferred to express the idea, and accordingly his ordinary conversation, where he indulged in this propensity with the least reserve, presented such a series of original and apparently unlaboured illustrations, that he might almost be said to have habitually thought in metaphors.

Mr. Curran's speeches are generally referred to as instances of what is now denominated the Irish school of eloquence, the distinguishing quality of which is said to be the predominance of passion and imagination over solid argument. The correctness of this definition is questionable. It is true that the eminent persons who have employed this style perpetually express their thoughts in impassioned and figurative language, but there is no in-

compatibility between such a mode of expression and the profoundest reasoning. When a person addresses a public body, he does not proceed, like a mathematician, rigidly to demonstrate through each link of the chain the validity of every conclusion. A speaker who should attempt to make such a parade of logical exactness would soon discover that his audience would never submit to so harassing a tax upon their attention. The popular orator is necessarily obliged to throw out his conclusions in separate, unconnected masses. To try their value, we are not to ask if they are deducible from what has immediately preceded: They often are not so: they are often the results of previous meditation, which he has stored in his memory, and takes occasion to advance as they happen to be *suggested* by the topics under discussion; although, strictly speaking, there may be no logical connection between them. Their value is, therefore, to be ascertained, not by examining them as deductions from his previous matter,

but by inquiring into the correctness of that original process of reasoning by which alone his mind could have acquired them; and if what the orator puts forward in the form of assertions appear, upon investigation, to be capable of demonstration, it is manifest that his matter is not less argumentative because he conveys it in a figurative diction. The profoundest moral and political truths may be conveyed as well in figurative as in literal language. The strength of a thought depends as little as that of a man upon dress. We may disapprove of the taste which needlessly decks it out in gaudy attire; but we are not, for that reason, to question its native force, and still less when it comes appropriately adorned with the richest clothing of a poetic imagination.

But whatever may be the merits of this style, it does not appear to have been for any length of time peculiar to the Irish people*. It was unknown in Ireland be-

* This observation is to be understood to apply to the literary productions of the educated classes. The idiom

fore the present reign. We do not find it to any extent in the productions of Swift, Goldsmith, or Sterne, the three most popular writers of that country. There is infinitely more of passion, and of the higher order of fancy, which is termed imagination, in the prose works of some of the eminent English writers of the seventeenth century*. This figurative style was introduced into the Irish house of commons about the period of Ireland's great struggle for her independence. An opinion prevails that Burke was its original founder; but though Burke might have employed it in the British senate a few years before that period, it is a violent assumption to suppose that the eminent leaders in the Irish parliament should have unanimously dismissed their previous ideas

of the native Irish language is highly figurative, and has a sensible influence upon the minds of the lower orders; but it would be difficult to show that this influence has ever extended much beyond them.

* Of this numerous examples might be produced from the prose-works of Milton, the writings of Jeremy Taylor, Lord Bacon, &c.

of oratorical composition, in order to become his imitators. There is also the strongest internal evidence against the supposition. An imitator does not copy merely the leading qualities of his model; he unconsciously conforms to it in every particular—in the structure of his periods, favourite forms of expression, and other minute observances, which perpetually betray his secret. Let the speeches of Burke be compared with those of Mr. Grattan, the most eloquent of the Irish senators, and not a trace of such imitation can be detected: no two styles (as far as regards the diction and verbal construction) can be more different. Burke's language is rhetorical and copious, even to profuseness. He leaves nothing to be supplied by his hearers. He addresses them as persons previously unacquainted with the subject, and becomes so explanatory, that he seems determined not to leave off till he forces them to understand it. Mr. Grattan is the reverse—abrupt, condensed, and epigrammatic, re-

jecting the connecting particles of speech, and often the connecting ideas, as expletives and incumbrances. He throws off his matter in the form of a table of the contents of his mind.

If any single individual could be said to have laid the foundation of this style, it might equally be traced to the great Lord Chatham, many of whose impassioned bursts belong to that order of eloquence which was so general in the Irish house of commons: but its prevalence in that assembly can be more naturally and satisfactorily explained by the condition of the times, and the nature of the subjects which agitated the nation. In the various stages of political society, there is none so favourable to popular eloquence as that in which the advantages of freedom are fully appreciated by the intellectual classes, but are in danger of being lost, or are unjustly withheld. This may be either at that period of national decline, when, from the corruption of morals, and its unerring signs, the venality of every rank, and a

general contempt for established institutions, liberty is imperfectly secured against foreign invasion, or the licentious ambition of powerful subjects. Such was the case when eloquence most flourished in Greece and Rome. Or it may be when a people is just emerging from bondage—in that anxious interval between the first signs of returning life in the national body and its perfect reanimation, when violent and repeated shocks are necessary to rekindle its spirit, and preserve it from relapsing into torpor. This was the condition of Ireland. At such a period the advocates of popular rights could not confine themselves within the limits of temperate discussion. The flagrant abuses—the shameless stand made against their reformation—the notorious venality and worthlessness of those who made it—the natural pride and generous impatience of men, who found their honest efforts counteracted by a race of beings whom they despised, necessarily impelled them to give utterance to their indignation

in all the vehemence of the most passionate remonstrance. These circumstances of themselves—the deep sense of their country's wrongs, and of the necessity of animating it, and exposing its oppressors—will sufficiently explain the peculiarities of their oratory. Figurative language is the natural idiomatic style of invective and complaint; the sufferer (or the advocate who represents him) finds a melancholy consolation in painting his misery in the most vivid colours that an exasperated imagination can supply. There is a feeling of high-minded self-love in the victim, whose spirit is not utterly enslaved, which leads him to exaggerate, if possible, the injustice under which he groans, and proudly to justify himself against his destiny. The English house of commons affords a corroboration of these remarks. Whenever the same impassioned style of eloquence has been heard there, it has almost invariably proceeded, not from the ministerial members defending the wisdom and expediency of their acts, but from the leaders

of the opposition inveighing against measures which they held to be dishonourable or oppressive.

In addition to the general influence which Burke is supposed to have had upon the oratory of his countrymen, it has been often observed, that a strong individual resemblance may be discovered between him and Mr. Curran. It is very doubtful praise to say of any one that he differed from Burke: still, if the two men be attentively compared, it must be admitted, that, in many leading points, they were strikingly dissimilar. Thus (without attempting an elaborate analysis of their respective qualities), to advert to the most obvious differences. Both possessed the faculties of reason and imagination in a high degree; but the general maxims to which those powers conducted them were strongly contrasted. In all his general views of society, Burke's mind discovers a deep respect for power, for "rank, and office, and title, and all the solemn plausibilities of the world." He reviewed the

history of the world; and, pausing over the institutions which had affected its destiny, reverenced them for the greatness of their effects. Mr. Curran looked at institutions as connected with freedom; and, where he found a tendency in them to enslave the human mind, forgot all their imposing grandeur in that single evil. Thus, Burke's imagination contemplated, "with an awful gravity," the age of chivalry (the times of our "canonized forefathers") as a splendid array of pageantry, gallantry, and deeds of arms, with its proud "bearings and ensigns armorial," and all those images of power which "carry an imposing and majestic aspect." The other remembered its oppressions, and was never heard to lament that "the age of chivalry was gone." The same leaning to power may be observed in Burke's pathetical effusions. His most affecting lamentations are over fallen greatness. Mr. Curran's pathos was less ambitious, but more social and extensive, embracing the sufferings of every rank. The pathos of the one was

more that of the schools—the sublime epic pathos of antiquity. He was most touched by historical vicissitudes. He hung over the royal corse and wept from the recollection that the head, now prostrate in the dust, had lately worn a crown. The other's tears were not reserved for the misfortunes of the great—he did not disdain to shift the scene of distress from the palace to the cottage or the dungeon, and to sympathize with those obscure afflictions which history does not condescend to record, but which man is destined hourly to endure.

Burke's acquired knowledge was more extensive, and his mind more scientific and discursive. He looked upon the great scene of human affairs as a problem for a philosopher to resolve, and delighted in those wide comprehensive views where much intermediate balancing and combination must precede the final result. No one could better describe the spirit of a particular age, or the condition and resources of a powerful empire. Mr. Curran's genius was less philosophic, but more

popular. He had more confined his studies to the human passions and feelings, as he observed them in active operation before him. His general views were derived from his own experience rather than from historical instruction. He had witnessed so much of the abuses of power, that he acquired a hatred of and contempt for it; and his chief skill lay in exposing those abuses. He could best describe a scene of local or individual oppression, and lay bare, for public execration, "the infernal workings of the hearts of the malignant slaves" who were its instruments.

Many particulars in which they differed may be attributed to their respective situations. They were cotemporaries; but they lived in such different countries, that they might be said to have lived in a different age. Burke's life was passed under a political system, which (whatever might be its theoretic imperfections) was diffusing real blessings all around; and to leave it as he found it was the wise end of all his efforts. The other lived under a system,

which, with "many shows of seeming pure," was an actual curse; and his life was a long struggle to inspire his country with the spirit to reform it. These different objects of each—of the one to preserve freedom, of the other to obtain it—gave a different character to their oratory. Burke's wisdom had taught him the dangers of popular innovation; and he would have protected, even under the shield of superstition, the institutions over which he watched. There is a certain oracular pride and pomp in his manner of announcing important political truths, as if they were awful mysteries which the uninitiated crowd were to reverence from afar. Like the high priest of old, he would have inspired a sacred dread of approaching the inmost temple, lest some profane intruder should discover and proclaim that the god was not there. The spectacle of misrule in Ireland had, on the contrary, impressed upon Mr. Curran's mind the necessity of animating the people with a spirit of fearless inquiry. To do this he had to awaken

them to a sense of their importance and their claims, by gratifying their self-love, and filling them with the persuasion, that there was no truth which they were not fitted to examine and comprehend.

Burke is more instructive and commanding than persuasive. He looked upon the people from an eminence, from which he saw them under their diminished forms, and betrayed a consciousness that he was above them. The other remained below—threw himself among them—and, persuading them that they were equals, by that means became the master of their movements.

This is the most striking distinction in the impressions which they make upon us —that we feel the one to be our superior, and imagine the other to be only a companion. In Burke's most exalting conceptions there is a gorgeous display of knowledge and intellect, which reminds us of our inferiority and our incapacity to ascend without his aid. The popular charm of the other's eloquence is, that it

makes us only feel more intensely what we have felt before. In his loftiest flights, we are conscious of being elevated with him, and for the moment forget that we soar upon another's wing; for the elements of his sublimity are the passions in which we all partake; and, when he wakes the living chords to their highest extacy, it is not that he strikes one which was never touched before; but that he gives a longer and louder vibration to the chords which are never still.

The history of each exemplifies their characters. Burke was a philosopher, and could transplant his sympathies. He went abroad, and passed his life admiring and enjoying the benefits of "his adopted, and dearer, and more comprehensive country." Mr. Curran was a patriot, whose affections, could he have torn them from their native bed, would have drooped in another soil. He staid at home, and closed his days in deploring the calamities which he had vainly laboured to avert.

CHAPTER X.

Mr. Curran's skill in cross-examination—his general reading—His conversation—His wit—Manuscript thoughts on various subjects—His manners, person—Personal peculiarities—Conclusion.

NEXT to the force of Mr. Curran's eloquence was the skill of his cross-examinations, a department of his profession in which he was, perhaps, still more unrivalled than as a speaker. Of the extent of this talent it is impossible that any description or examples can convey an adequate idea to those who have never witnessed the living scene; but the bar, who alone could fully appreciate his resources, for they alone were fully sensible of the difficulties in each case against which he had to contend, have unanimously allowed that his address and sagacity as a cross-examiner were altogether matchless. It was, perhaps, here that as

an advocate he was most feared and most resistless. In cases where there was some latent fraud or perjury, in exposing which his whole strength was always most conspicuously developed, he uniformly surprised his own profession no less than the general spectator, by the singular versatility of his powers, and by his familiarity with every variety of human character, at once so extensive and so minute, that he could discover at a glance the exact tone and manner best calculated to persuade, terrify, or entrap into a confession of the truth, the particular description of person upon whom he had to work. In managing a sullen or dishonest witness there was nothing that he left untried; solemnity, menace, ridicule, pathos, flattery, and even for the moment respectful submission. In contests of this kind he had, in an eminent degree, the art of "stooping to conquer." If a few insidious compliments to the witness's understanding, and an apparently cordial assent to all his assertions and opinions, or a long

series of jests, no matter whether good or bad, seemed likely to throw him off his guard, he never hesitated*; his favourite method was by some such artifice to divert his attention, or to press him with pretended earnestness upon some trivial irrelevant point until he found the witness elated with his fancied security, and then to drop, as it were incidentally, and with a tone of indifference as to the answer, or in a manner implying that it had been

* The following may be taken as a specimen of the ludicrous phraseology to which he sometimes resorted:—A witness having sworn that as he was returning, at a late hour, from a supper party, he was assaulted by Mr. Curran's client, the counsel, in his cross-examination, asked him—"if the number of eggs that composed his supper was not more than that of the graces and equal to that of the muses?—if he did not usually drink a little coarse wine at dinner, by way of foundation to keep the claret out of the wet?—if he did not swallow a squib after dinner, by way of Latin for his goose?—and if, after his foundation of white wine, with a superstructure of three pints of claret, a stratum of nine eggs, a pint of porter, and a supra-cargo of three pints of Geneva punch, his judgment was not a little under the *yoke*?"

already admitted, some vital question, to which, in all probability, the desired reply would be given before the perjurer had time to recollect whether he had previously asserted or denied the fact. So unexpected and surprising were his discoveries of a person's character and morals, from external indications so slight as to be imperceptible to others, that the lower orders of his countrymen had an almost superstitious reverence for his abilities, as if he were gifted with a supernatural power of "looking through the deeds of men." From the prevalence of this opinion his name was the proverbial terror of the Irish informer. Even those wretches who, in "drudging for a pardon," or a reward, had so steeled their conscience against remorse and shame, that they could hear unmoved the deep buzz of smothered execrations with which the multitude announced their approach, and even glory in their indifference to the "sound of public scorn," had not the nerves to sustain his torturing developments of their unrighte-

ous lives. They were not only abashed and confounded by that art, which he so consummately possessed, of involving them in prevarication, by confronting them with themselves, but they have been actually seen, as if under a momentary shock of virtuous panic, to plunge from off the public table, and fly to shelter from his upbraiding presence, leaving the rescued victims to reward by their blessings their advocate and saviour.

It will not be necessary to dwell at any length upon Mr. Curran's character as a lawyer. He was never profoundly read; but his mind had firmly seized all the leading principles of the English code, more particularly those of constitutional law; and he was always considered by the members of his own profession to have displayed eminent skill in his logical application of them. In the earlier part of his career his reasoning powers were admitted to have been of the first order, until the splendour of his eloquence gave rise to the unfounded notion, that where there

was so much imagination the faculty of reason must have been deficient. But some of his published arguments amply refute this opinion.

His judicial history contains little requiring particular notice. Upon the bench he religiously respected those privileges which at the bar he had so strenuously supported. If he fell into any error upon this point, it was, that his abhorrence of favouritism often led him to be over-scrupulous in granting any indulgence, where the counsel claiming it happened to be one of his personal friends.

With regard to his general reading, much of it may be collected from his speeches. The frequency of classical and scriptural allusions, and of expressions borrowed from the English poets, sufficiently point out the writings with which he was most familiar. He was never deeply versed in general history; he had, however, studied with attention and success that portion of it (the great constitutional epochs in the history of Great Bri-

tain and Ireland) which it was peculiarly incumbent on him, as a lawyer and a senator, to know. The enthusiasm with which, in a passage already cited, he has described the scientific and literary genius of Scotland, proves the impression made upon him by the noble productions of that intellectual people. His early knowledge of the French language has been mentioned. He continued to cultivate it during the rest of his life; and though his study of it was only occasional and desultory, and his residence in France never exceeded a few weeks at a time, he spoke and wrote it with unusual correctness. It may be added, as a peculiarity of his taste, that he used to express himself to be more sensible of the beauties of that language than of his own. Among the French serious writers he always preferred Rousseau. He understood Italian sufficiently well to comprehend the popular poetry of modern Italy; but Italian literature was never one of his favourite pursuits.

After having stated so much in commend-

ation of Mr. Curran's intellectual superiority, it may seem like the spirit of boundless eulogium to go on; but who, that ever knew him, could dismiss his life without dwelling for a moment upon his colloquial and convivial powers? As a companion, he was, in his own country, confessedly without a rival. In speaking of the charms of his conversation, it would be exceeding the truth to assert, as has sometimes been done, that the creations of his careless hours were often more vivid and felicitous, than his more studied public efforts; yet is it no small praise to be justified in saying, that they were equal, or nearly equal; that few who approached him, attracted by his general reputation, ever left him without having their admiration confirmed, if not increased, by the vigour and originality of his ordinary conversation. According to the testimony of those who had enjoyed his society at an earlier period, some of its attractions had latterly disappeared. The survivors of the

"Monks of St. Patrick," are those who best can tell what Mr. Curran was at the festive board. It was in that season of youth and hope, when exalted by the spirit of their classic and patriotic meetings, and surrounded by "those admired and respected, and beloved companions;" that his mind surrendered itself to every emotion of social enthusiasm, throwing off in exhaustless profusion every thought that could touch the fancy or the heart. No laboured description can now convey an adequate notion of those effusions. The graver parts, had they been preserved, would have been found to resemble many admired passages in his printed speeches; but the lighter and most frequent sallies, deriving their charm from minute and evanescent combinations of characters, and circumstances, have necessarily perished with the occasions for which alone they were intended.

Numerous specimens of his wit have been preserved, from which its style, rather

than its extent, may be collected. It may be generally observed of his wit, that it delighted, not so much from the naked merit of any single efforts, as from the incessancy and unexpectedness of its combinations. It also possessed one quality, which is above all value, that of never inflicting an undeserved wound. In all those cases where the words might seem to intend a personal reflection, he never failed to neutralize the poison by a playful ironical manner which testified his own disbelief of what he was asserting. It would be difficult to produce an equal number of pointed sayings, in which the spirit consists so little in particular or general satire; neither do they appear, like the humorous sallies of many celebrated wits, to have been dictated by any peculiar set of speculative opinions. The sceptic, the misanthrope, the voluptuary, and all, in short, who habitually look at the business of life through the medium of their particular doctrines, are perpetually betraying in their mirth some open or

lurking application to their favourite tenets: the instances of their wit, if accurately examined, may be resolved into illustrations of their system. Thus the humour of Voltaire is for ever reminding us of his impiety; that of Swift, of his splenetic contempt of human folly; but almost all of Mr. Curran's lively sayings were suggested at the moment by the immediate circumstances and persons, or verbal associations; they are in general insulated and individual, ending where they began, and not referrible to any previous systematic views of human affairs*.

* An entire collection of the *bons mots* attributed to Mr. Curran would fill many pages. The following are selected as a few specimens. In all of them it will be seen how much less the essence depends upon the satire than upon the fanciful combination of words or images.

Mr. Curran was engaged in a legal argument—behind him stood his colleague, a gentleman whose person was remarkably tall and slender, and who had originally designed to take orders. The judge observing that the case under discussion involved a question of ecclesiastical law,—"Then," said Mr. Curran, "I can refer your lordship to a high authority behind me, who was once

Mr. Horne Tooke, after having passed an evening in the company of Mr. Curran

intended for the *church*, though *(in a whisper to a friend beside him)* in my opinion he was fitter for the *steeple*."

An officer of one of the courts, named Halfpenny, having frequently interrupted Mr. Curran, the judge peremptorily ordered him to be silent, and sit down. "I thank your lordship," said the counsel, "for having at length *nailed that rap to the counter*."

"I can't tell you, Curran," observed an Irish nobleman, who had voted for the Union, "how frightful our old house of Commons appears to me." "Ah! my lord," replied the other, "it is only natural for murderers to be afraid of ghosts."

A deceased judge had a defect in one of his limbs, from which, when he walked, one foot described almost a circle round the other. Mr. Curran being asked how his lordship still contrived to walk so fast, answered—"don't you see that one leg goes before like a tipstaff, and clears the way for the other?"

Mr. Curran, cross-examining a horse-jockey's servant, asked his master's age. "I never put my hand in his mouth to try," answered the witness. The laugh was against the counsel, till he retorted—"you did perfectly right, friend, for your master is said to be a *great bite*."

A miniature painter, upon his cross-examination by Mr. Curran, was made to confess that he had carried his improper freedoms with a particular lady so far as to attempt to put his arm round her waist. "Then, sir,"

and the late Mr. Sheridan, whom he had, upon that occasion, for the first time met together, was asked his opinion of the wit of each. He replied, "that Sheridan's was like steel highly polished, and sharpened for display and use; that Curran's was a mine of virgin gold, incessantly rumbling away from its own richness."

said the counsel, "I suppose you took that waist *(waste)* for a *common*."

"No man," said a wealthy, but weak-headed, barrister, "should be admitted to the bar who has not an independent landed property." "May I ask, sir," said Mr. Curran, "how many acres make a *wise-acre?*"

"Would you not have known this boy to be my son, from his resemblance to me?" asked a gentleman. Mr. Curran answered—"Yes, sir; the maker's name is stamped upon the *blade*."

Mr. Curran was asked what an Irish gentleman, just arrived in England, could mean by perpetually putting out his tongue? Answer—"I suppose he's trying to *catch the English accent*."

At a public dinner he was defending his countrymen against the imputation of being a naturally vicious race. "Many of our faults, for instance, (said he) arise from our too free use of the circulating medium *(pointing to the wine)*, but I never yet heard of an Irishman being *born drunk*."

The celebrated Madame De Stael, who, during her last residence in England, was surrounded by persons the most distinguished for talent, frequently observed that she had been most struck by the originality and variety of Mr. Curran's colloquial powers. This was in 1813, when his health and spirits were in a state of depression, which rendered the effort to support his part in such company a painful exertion*.

Among his papers there are a few sheets covered with thoughts loosely thrown together, from which a few extracts may convey some idea of the more striking passages of his conversation.

"England has been industriously taught

* Alluding in a private letter to one of those parties, he says, "I dined yesterday with a society of wits at Madame de Stael's; Sheridan, other great names, &c. I find that even sugar may cloy. Perhaps there is no society in which less bona-fide cordiality reigns. In truth where can you look to find so much false money as among coiners by trade? Believe me I have passed much pleasanter evenings at Whitehall *."

* A country-place in the vicinity of Dublin.

to believe, that whatever degrades or tortures this devoted country is essentially good for her; and that if some supernatural spirit (a Popish imp to be sure,) were to take advantage of some dark night, and in the morning the Irish peasant should awake in astonishment to find his cottage with its roof thatched, and its floor dried, and clothes and food miraculously supplied for his children, I can scarcely doubt that when certain intelligence of so disaffected a visitor had arrived in Britain, a solemn fast and humiliation would be proclaimed by our orthodox rulers to expiate whatever of our crimes had drawn down so heavy a punishment, and to atone for the offence, for example, of abolishing the slave trade, and to shew our contrition by giving it a five years reprieve, that so it might recover itself and live for ever, to the satisfaction of a merciful God, and the true glory of his holy religion."

("*Bourbons: freedom of the press.*)—Perhaps exile is the bitterest ingredient of captivity. The Jew felt it so, when he

wept by the waters of Babylon. If adversity ever becomes a teacher, surely her school ought to be found in exile."

"(*Christianity.*)—The first ages were hypocrisy and imposture. These soon excited their natural enemy, free thinking. Religion could have been no party in the conflict. She was neither a sophist nor a poet; she had little dealing with rhetoric or metaphysics; but at last, when Hypocrisy and Atheism have made peace, she may come round again."

("*Lord* ——.)—These small folks are as much afraid of the press, as Robinson Crusoe's man Friday was of the musquet, when he 'prayed massa gun don't go off and kill poor wild man.'"

"(*How hold Ireland.*)—The upper orders gone and the remains following. The people agriculturists.

"(*Agriculture.*)—The mother and nurse of a military population. Ireland has been forced into this. It was thought that she was sunk under the arbitrary tyranny of British monopoly. Let the proud Briton

regale himself in the wholesome air of mines and workshops, and become ossified in the strengthening attitudes of monotonous labour, while the degraded Irishman draws health and number, and fierceness, and force, and becomes too nimble to be caught by his crippled owner, who hobbles after him and threatens him with his crutch.

"(*Irish administration.*)—I should much sooner presume to speak out against the solid substance of an English ministry, than venture on a whisper against their shadows in Ireland.

"I know the seeming moderation of these men, but I fear it is like the moderation of the drunkard who glories in the sobriety of the morning; who mistakes exhaustion for contrition, and is vain of a reformation that stole upon him while he slept."

"To inflame the public mind on a point of theology, was to divert them from the great point of national oppression on which the country could not but be unanimous,

and to turn it to one on which England would be against us."

"I don't hesitate to say, that a good government would in a week have Ireland tranquil.

"Putting out the law will never do; but here the insurrection act was clearly a topic in argument, not a measure of necessity.

"In all countries revolutions have been produced by the abuses of power. If you would mark the process of force, look to 98."

"The tyrant may say to the slave, you are bound in conscience to submit—the slave may put the question to his conscience, and receive a very different answer."

"Obedience is founded on allegiance and protection; but if an idea is held out that a nation, containing at least two-thirds of the military population of the empire, is to remain upon her knees in hope of the interval when cruelty and folly may work themselves to rest, and humanity and justice awaken—I say, forbid it the living God! that victim man should not make

his election betwen danger and degradation, and make a struggle for that freedom, without which the worship of his name has no value."

Mr. Curran's manners were remarkably simple and unassuming. In his youth, before his value was sufficiently ascertained to procure him uniform respect, he occasionally exhibited before his superiors in rank some signs of that pride with which men of genius are disposed to assert their dignity; he never indulged however in this feeling to an offensive degree. The early and long continued habit of his mind, was to underrate his own talents and importance. It was only where he imagined that some slight was intended, that he showed a consciousness of his claims; but the occasions of exciting his vanity or indignation on this point entirely ceasing as his character became known, the feeling itself was soon extinguished. In his daily intercourse, he scrupulously avoided an ordinary failing of superior men, that of im-

pressing upon less gifted persons a sense of their inferiority. In this department of the business of life, he eminently possessed (to use a favourite expression of his own) that nice *tact*, which taught him to accommodate his style and sentiments to the various characters and capacities of those with whom he conversed. However humble their rank or pretensions, he listened with good humour to all they had to offer, and was never betrayed into a ridicule of those little demonstrations of vanity and self-love, which they who mix in the world have to encounter every moment.

In his political relations, he was not vindictive. The prominent and decided part which he took in public affairs necessarily involved him in many enmities, which the condition of the times, and the nature of the questions at issue, inflamed into the highest state of exasperation; but as soon as the first fever of passion and indignation had subsided, he evinced a more forgiving disposition than he found among his opponents. In his latter years,

he spoke of the injuries which he had sustained from Lord Clare and many others, with a degree of moderation which could scarcely have been expected from a person of his quick and ardent temperament *.

Mr. Curran's person was short, slender, and ungraceful, resembling rather the form of a youth not yet fully developed, than the compact stature of a man. His

* A few years before his death, Mr. Curran strolled one day into the Poet's Corner in Westminster Abbey. As he contemplated the monuments, he became deeply affected by the spectacle of mortality on every side, and for the moment dismissing every harsher feeling, gave up his mind to the solemn reflections which the scene was calculated to inspire. "The holy influence of the spot (to adopt the words of an illustrious countryman of his in relating this circumstance) had so subdued him, that he began to weep." While he was in this softened mood, he observed at a little distance his old antagonist Doctor Duigenan. Mr. Curran, considering that they were both to be soon beyond the possibility of further contention, and that no place could be more suited for the exchange of mutual forgiveness, approached, and affectionately offered him his hand. "I shall never take Mr. Curran's hand," replied the doctor, and abruptly turned away.

face was as devoid of beauty as his frame. His complexion was of that deep muddy tinge by which Dean Swift's is said to have been distinguished. He had a dark, glistening, intellectual eye, high, arched, and thickly covered brows, strong, uncurled, jet-black hair, which lay flat upon his forehead and temples. When his thoughts were unoccupied (which was rare), his features were not particularly expressive; but the moment he became animated, there was a rush of mind into his countenance which dilated every fibre, and impressed upon it a character of peculiar energy and genius.

His voice was not naturally powerful or musical; but he managed it so skilfully, that it gave full expression to every feeling and passion which it had to convey. Its unrivalled excellency lay in communicating solemn and pathetic sentiments. In private and serious conversation, it was remarkable for a certain plaintive sincerity of tone, which incessantly reminded those who knew him of the melancholy that

predominated in his constitution. His delivery, both in public and private, was slow, and his articulation uncommonly distinct. He was scrupulous in his choice of words, and often paused to search for the most expressive. His powers of language and delivery were the result of assiduous industry and observation. There was nothing, however minute, connected with the subject, which he deemed beneath his attention *.

It is, perhaps, time to close this account; yet, as many might feel disappointed at the omission of those minuter traits which render the individual still more peculiar and distinct, and bring him into a kind of personal acquaintance with those who never saw him, some passing notice shall

* He sometimes mispronounced the word "tribunal," throwing the accent upon the first syllable. When reminded of the error, he alleged in his excuse, that, having once heard the word so pronounced by Lord Moira, whom he considered a model of classical pronunciation, he adopted his method; and, though subsequently aware of the incorrectness, unconsciously repeated it.

be taken of the more striking features of this subordinate class, which separated Mr. Curran from other men.

One of his great peculiarities was, that, in the most trivial things, he was peculiar. He did not sit in his chair like other persons: he was perpetually changing his position; throwing himself into attitudes of thinking; and betraying, by the incessant play of shifting expressions on his countenance, that there was something within which was impatient of repose. It was the same when he walked or rode. Long before his features could be discerned, his friends recognized him from afar by the back of the hand firmly compressed upon the hip, his head raised towards the sky, and momentarily turning round, as if searching for objects of observation; or, if he was in conversation, by the earnest waving of his body, and the fervour of his gesticulation. These were the external signs of that latent impulse which was the source of his genius. One of the most extraordinary circumstances in his constitution was the length

of time, to which this impulse could continue to act with undiminished force. He used to assure his intimates, that, long after the body's exhaustion had incapacitated him for farther exertion, he felt a consciousness that the vigour of his mind was unimpaired. Even his capacity of dispensing with bodily rest, considering the apparent delicacy of his frame, was surprising. During the more active period of his life, he frequently sacrificed a night's rest with impunity. After passing the day in his professional occupations, and one half of the night in the house of commons, and the other in the convivial meetings of the leaders of his party, he re-appeared on the succeeding morning in the courts, as fresh for the ensuing labours of the day as if he had spent the interval in renovating sleep. There were, in his more ordinary habits, many similar indications that his frame was, as it were, overcharged with life. In his conversation his fancy generally became more brilliant as the night advanced. He retired to bed with reluct-

ance; and his friends often remarked, that he was seldom so eloquent and fascinating as after he had risen from his chair, momentarily about to depart, but still lingering and delighting them—"indulgens animo, pes tardus erat." In his own house, after his guests had retired to their chambers, he seized any excuse for following one of them, and renewing the conversation for another hour; and the person thus intruded upon seldom considered himself the least fortunate of the party: It appears from all this, that Mr. Curran was not much addicted to sleep. One reason why his frame required so little may have been, that his sleep was generally most profound, and uninterrupted by dreams. The latter circumstance he often regretted, for he was inclined to think that the throng of fantastic ideas which present themselves in dreams, might, if carefully attended to, have supplied him with new sources of poetic imagery.

In his diet he was constitutionally temperate: he eat little, and was extremely

indifferent regarding the quality of his fare. For the greater part of his life he was subject to a debility of the stomach, which, though it could scarcely be called a disease, was yet so permanent as to be the source of the utmost inconvenience. Whenever dinner was delayed beyond the expected time, the irritation of his stomach became so intolerable, that he was frequently obliged to retire altogether from the company. From his attachment to the pleasures of convivial society, he was supposed to have been addicted to wine; but the fact was that a very small quantity excited him; and, whenever he drank to any excess (as was sometimes the case in large companies) it was rather mechanically and from inattention than from choice. When left to his natural propensities, he was almost as temperate in this respect as in his food. At his own table he was hospitable and unceremonious. In every transaction of common life, he disliked and despised the affectation of state. His maxim was, that the festive board should

be a little republic, where the host, having previously provided whatever was necessary for the general interest, should appear with no greater privileges or responsibilities than a guest.

From the same distaste to shew, he was always remarkable for the plainness, and even negligence, of his external dress; but he paid the most scrupulous attention to personal cleanliness. His regular custom was to plunge every morning when he rose into cold water. It may be generally added, that, in all his ordinary habits,—in his house, his equipage, his style of living, of travelling, &c.—the same republican simplicity prevailed. During the two or three last years of his life, he might often be seen, on the road between London and Cheltenham, seated outside one of the public coaches, and engaged in familiar conversation with the other passengers.

His constitutional tendency to melancholy has been already noticed: yet, in the familiar intercourse of daily life, the prominent characteristic of his mind was

its incessant playfulness—a quality which rendered his society peculiarly acceptable among females and young persons. He took great delight in conversing with little children, whom he generally contrived to lead into the most exquisitely comical dialogues. He was fond of giving ludicrous appellations to the places and persons around him. His friend Mr. Hudson the dentist's house was built in "the Tuscan order"—a celebrated snuff-manufacturer's country-seat was "Sneeze-town"—the libraries at watering-places were "slopshops of literature." He called a commander of yeomanry (who dealed largely in flour) "Marshal Sacks"—a lawyer, of a corpulent frame, "Grotius"—another, who had a habit of swelling out his cheeks, "Puffendorf." He often, humorously remonstrated with a friend, who was of a very tall stature, and with whom, as one of his "very longest acquaintances," he used that freedom, "upon his want of decorum in going about and peeping down the chimnies, to see what his neighbours were

to have for dinner." This list might be extended to a greater length than would be necessary or suitable.

In speaking of Mr. Curran's literary habits, it should have been mentioned that he was, for the greater part of his life, an ardent reader of novels. In his earlier years, it was his regular custom to have one under his pillow, with which he commenced and closed the reading of the day. His sensibility to the interest of such works was so excessive, as to be scarcely credible by those who never saw him sobbing, almost to suffocation, over the pathetic details of Richardson*, or in more extravagant paroxysms of laughter at the ludicrous descriptions of Cervantes. There was a kind of infantile earnestness in his preference of any thing of this sort which struck his fancy; for days it would usurp his thoughts and conversation. When the translation of the Sorrows of Werter first appeared, he was for ever repeating and

* Particularly the will of Clarissa Harlowe, which he considered a masterpiece of pathos.

praising some favourite passages*, and calling upon every friend that chanced to visit him to join in the eulogy, with all the impatience of a child to display a new toy to his companions.

Such were his excellencies, or his harmless peculiarities, and the office of enumerating them has been easy and attractive. But biography, if the fidelity to truth which it demands be too rigidly exacted, may become a harsh task, converting a friend, or one nearer than a friend, into the ungracious character of an accuser. Every lover of genius would wish that this account of Mr. Curran's life might here have closed, without rendering it liable to the charge of having suppressed any circumstance which it would not have been to the interest of

* Among them was the following, from one of Werter's letters:—"When in the fine evenings of the summer you walk towards the mountains, think of me; recollect the times you have so often seen me come up from the valley; raise your eyes to the churchyard that contains my grave, and, by the light of the departing sun, see how the evening breeze waves the high grass which grows over me."

his name to have disclosed. But the question will be asked, has this been a faithful picture?—Have no shades been designedly omitted?—Has delicacy or flattery concealed no defects, without which the resemblance cannot be true? To such inquiries it is answered, that the estimable qualities, which have formed the preceding description, have not been invented or exaggerated; and if the person, who has assumed the duty of collecting them, has abstained from a rigorous detail of any infirmities of temper or conduct, it is because a feeling more sacred and more justifiable than delicacy or flattery has taught him, and should teach others, to regard them with tenderness and regret. In thus abstaining from a cruel and unprofitable analysis of failings, to which the most gifted are often the most prone, no deception is intended. It is due to that public to whom Mr. Curran's merits have been here submitted as deserving their approbation, to admit with candour that some

particulars have been withheld which they would not have approved; but it is also due to his memory to declare, that in balancing the conflicting elements of his character, what was virtuous and amiable will be found to have largely preponderated. He was not perfect; but his imperfections have a peculiar claim upon our forbearance, when we reflect that they sprung from the same source as his genius, and may be considered as almost the inevitable condition upon which that order of genius can beheld. Their source was in his imagination. The same ardour and sensibility which rendered him so eloquent an advocate of others, impelled him to take too impassioned and irritating views of questions that personally related to himself. The mistakes of conduct into which this impetuosity of temperament betrayed him cannot be defended by this or by any other explanation of their origin, yet it is much to be able to say that they were almost exclusively confined to

a single relation, and that those who in consequence suffered most, but who, from their intimate connexion with him, knew him best, saw so many redeeming qualities in his nature, that they uniformly considered any exclusion, from his regard not so much in the light of an injustice, as of a personal misfortune.

There was a time when such considerations would have failed to appease his numerous accusers, who, under the vulgar pretext of moral indignation, were relentlessly taking vengeance on his public virtues by assiduous and exaggerated statements of private errors, which, had he been one of the enemies of his country, they would have been the first to screen or justify. But it is hoped, that he was not deceiving himself when he anticipated that the term of their hostility would expire as soon as he should be removed beyond its reach. "The charity of the survivors (to use his own expressions) looks at the failings of the dead through an inverted

glass; and slander calls off the pack from a chase in which, when there can be no pain, there can be no sport; nor will memory weigh their merits with a niggard steadiness of hand." But even should this have been a delusive expectation—should the grave which now covers him prove an unrespected barrier against the assaults of political hatred, there will not be wanting many of more generous minds, who loved and admired him, to rally round his memory from the grateful conviction that his titles to his country's esteem stand in defiance of every imperfection, of which his most implacable revilers can accuse him. As long as Ireland retains any sensibility to public worth, it will not be forgotten, that (whatever waywardness he may have shewn towards some, and those a very few) she had, in every vicissitude, the unpurchased and most unmeasured benefit of his affections and his virtues. This is his claim and his protection; that having by his talents raised himself from

an humble condition, to a station of high trust and innumerable temptations, he held himself erect in servile times, and has left an example of political honour, upon which the most scrutinizing malice cannot detect a stain. Nor will it be deemed an inconsiderable merit to have thus, without fortune or connexions, forced his way into a situation of such responsibility. "He that seeketh to be eminent amongst able men (said the ablest of men) hath a great task*." This task Mr. Curran fulfilled. In the generous struggle for distinction, he was surrounded, not by a race of puny competitors, whom accident or wealth had lifted above their sphere, but by men of surpassing vigour, in whose ranks none but athletic minds could be enrolled. Flood, Yelverton, Daly, Burgh, Perry, Forbes, Ponsonby, and, to crown the list, their leader and solitary survivor, Henry Grattan—these, all of them great

* Bacon's Essays.

names, and worthy of their country's lasting pride, were the objects of his honourable emulation; and to have been rewarded by their approbation, and admitted an associate of their labours, is in itself an evidence of his value, which neither praises can increase, nor envy take away.

POEMS.

POEMS.

In addition to the verses occasionally introduced in the preceding pages, there are the following further poetical productions of Mr. Curran, the omission of which (it has been suggested) would be regretted by many readers, particularly by those of his own country.

LINES

Addressed to Lady ———, in answer to a poem in which she had predicted the future freedom of Ireland.

THE western sun o'er Dalua's flood
The castle's length'ning shadow flung
To heaven, the minstrels of the wood
The vesper song of nature sung.

Clasp'd in her arms, fair Marion's boy
Now lost his infant cares in rest;
Or basking in his mother's joy,
Drank health and virtue from her breast.

Her form—but stay, rash poet! stay,
Nor vainly paint the beauteous shrine,
Unless thy pencil can pourtray
The form divine that dwells within.

She saw the hearse that ling'ring slow,
Scarce seem'd the opposing hill to climb;
She heard the mingling sounds of woe,
For manhood fall'n before its time.

His arm had smote his country's foe,
For her his heart had scorn'd to fear;
But civil feud had laid him low,
The laurel wither'd on his bier.

His old sire tott'ring to his tomb,
Bewail'd his age's comfort fled;
His love, too, follow'd, craz'd and dumb,
In grief that had no tears to shed.

The mournful train, th' untimely blow,
In Marion's patriot mind awoke;
The sleeping forms of Erin's woe,
The blood-stain'd tow'r, the stranger yoke.

Her various memory moves the veil
That hid the deeds of parted times,
And tells her wounded soul the tale
Of Erin's shames, of Albion's crimes.

With rapid glance her thought survey'd
Of fiends obscene the ghastly band,
By tyrant perfidy array'd,
To lord it o'er a victim land.

Pale sloth with vice and misery join'd,
And credulous faith and discord dire;
And superstition bloody and blind,
Kindling her sacramental fire.

"How long," she cried; "O! Power Supreme,
By folly shall the world be sway'd?
Oh, virtue, art thou but a name,
Oh, freedom, art thou but a shade!

"And thou, dread justice, canst thou sleep,
While hopeless millions pine forlorn;
While crimes their frantic revels keep,
And laugh thy tardy power to scorn?

"Canst thou behold th' unworthy yoke
Crush all that's gen'rous, all that's good?
Is there no wrath?" But while she spoke,
An ancient form before her stood.

To view the venerable sage,
She raised her eye, that o'er his head
Soft beaming on the marks of age,
Sweet youth's celestial lustre shed.

So on the mountain's snow-clad brow,
When falls the light of parting day,
The drifted whiteness seems to glow,
Illumed, not melted, in the ray.

"No! Justice never sleeps," he said:
"In every age, in every clime,
She levels at the guilty head,
And measures punishment by crime.

"Deep woven in the frame of things
Is Heaven's unchangeable decree,
From guilt alone that misery springs,
That virtue only can be free.

"The rage of war, the bigot fire,
The storm that lifts th' insatiate main,
The pest that piles the carnage dire,
Are but the servants of her reign.

"When most the tyrant seems to rave,
'Tis justice that afflicts mankind,
And makes the body of the slave
Fit jail for the degenerate mind.

"By patriot rage, when Julius bled,
The tyrant still escaped his doom,
And lived (tho' Brutus' friend lay dead)
Immortal in the crimes of Rome.

"Yet victor in the generous strife,
For freedom he resign'd his breath;
He sought it in the dream of life,
He found it in the sleep of death.

"For nature, ever in her prime,
Sleeps but to renovate her force;
And pausing from the toils of time,
Takes breath for her eternal course.

" Perhaps the moment may arrive
When Erin's sons shall think like thee;
That moment she begins to live,
And virtuous Erin to be free.

" Till then, in vain the patriot deed,
Till then condemn'd a hopeless slave,
Erin may struggle or may bleed,
But freedom dwells beyond the grave."

A LETTER IN RHYME TO A FRIEND.

Dublin, Dec. 3, 1798.

DEAR Dick, in answer to your letter,
These presents take instead of better;
And hard it is enough, God knows,
To write in verse, and think in prose.
For when those baggages of Muses,
No matter how a bard them uses,
Get but a peep at's Sapience big,
His goat's-beard band, and proper wig,
They, void of modesty or grace,
Do sneer and titter in his face;
Then leave him to his own bad leading,
To eke out rhyme with special pleading.
Without them, then, we'll what we can do,
And more than that can mortal man do?

" But why not answer long before?
Why silent for a month or more?"
My packet for the Head had parted
Ere yours from Church-lane dock had started.
But here arrived it safely lay,
Un-Lees'd, un-Sirr'd *, for many a day.
No studious spy the seal explored,
Nor angling minion hook'd a word.

* Lees and Sirr, officers of search in the rebellion.

But all your notions, as you wrote 'em,
In statu quo, just so I got 'em.
Uncrack'd as egg in new-mown hay,
Or well-primed cheek of Lady Gay,
Or cozy gammon snugg'd in malt,
The virtue suck of attic salt.

So you bring Madam up to town,
To see her friends and choose a gown,
To slack a few of those hard guineas,
You roach by prosodizing ninnies.
Of 'many a welcome' you're secure,
'Of beds you are not quite so sure.'
There you mistake, 'tis the reverse,
The beds are many—welcomes scarce.
When welcome is a word, 'tis many,
When 'tis a thing, most rare of any.
The churl that simpers at the door,
Swears that you're welcome—Oh, most sure!
Again a thousand welcomes swears,
And starves your guts and crams your ears;
Yet inly damns the ling'ring drone,
You're welcome, but you're better gone.

One single welcome here you'll find,
But that of far a different kind;
Nor yet that welcome be afraid of,
I'll tell you what's the stuff 'tis made of.
A head and heart you may have known;
The heart at least, 'twas much your own.
I know not if the head you knew;
Both should be better—both knew you.

This luckless heart in early days,
Not dead to worth, not dead to praise,
Yet suffer'd many a dire disaster
From careless thrift of thoughtless master.
A cymbal not inaptly strung,
A cymbal of no native song—
'Twas silent, or it gave the note,
As Circe or Minerva smote;

Sometimes too slow, sometimes too fast,
Undone alike by rest or haste,
Its creditors, alarmed at last,
To see it go to wreck so fast,
Agreed together, on a day,
To come and take their shares away.
The heart, from bottom to the top,
Was nicely scor'd, and so cut up.
Then might you see whole troops of vices
Come boldly forth, and carve their slices;
Wild hopes, vain joys, vows, loves, and graces,
In various garbs, from various places.
Among the rest, even virtues came,
But smote their heads, and made no claim.
At length a single bit remain'd,
By none desired, by most disdain'd;
When friendship, smiling, said, 'we'll take it,
Perhaps with care we'll something make it;
Could we but get wherewith to patch it,
A lucky bit of head to match it.'
Scarce was it sooner said than done,
Forthwith the head was named anon.
Peter, perhaps, might it remember,
Tho' time has pass'd 'twixt May 'nd November;
Tho' singed, as if 'twas worn by Shadrack,
Or faded, as it had come from Tabrak.
It was the same that many a day
Made Bally Patrick's folks so gay;
When the group cluster'd round the fire,
The men, the maids, the dogs, the squire,
Told the arch tale, or sprung the joke,
Or drew the laugh, ere yet it spoke;
That made fat Nancy's sides to shake,
And blind Jack's fatter head to ache;
And Jemmy's, too, with needle nose,
And lusty Peg's, with sky-blue hose.
From that same head a bit she cut,
Not sinciput, nor occiput,
Nor eye, nor ear, nor nose, nor hair,
For these are all just as they were.

Doctors that know these names may tell 'em,
They think it was the cerebellum.
I hope she was not such an elf
To chose the worst, to help herself.
These fragments then she skilful join'd,
In mystic union close combined.
'*Welcome*,' she said, 'thy name shall be,
To honour sacred, and to me:
Ne'er be thou squandered on the knave,
The fool, the flatterer, or the slave;
To worth alone still be thy door
Prompt on the hinge, and prompt thy store;
To worth, that ever in its prime
Feels no decrepitude of time,
No shade of wealth, no shade of power,
That changes with the changing hour,
Round fortune's gnomon loves to play,
And lengthens with the sinking ray.'

Come then, dear Dick, and you shall find
This welcome mellow, just, and kind:
Tell Jane, a blockhead here refuses
T' admit four graces or ten muses;
So bid her bring her smile and song,
And soon we'll prove the blockhead wrong.
Tell Peter too, that if he come,
He'll find his value and his room.
We'll laugh as when in happier day
Fortune was kind and hope was gay.
Death shall mistake, and pass us by,
Thinking us yet too young to die.
Nor fear to meet bad fare or scanty;
Of roots and milk, and fowls, we've plenty—
A croppy heifer, spared by Holt *,
No doubt a favourer of revolt.
Spared by the traitor for that reason,
Upon her horn clear marks of treason †.

* A rebel chief of the Wicklow mountains.

† This alludes to a custom among the rebels of marking the horns of their cattle in a particular manner, which saved them from the depredations of their own party.

The beast a rebel would not steal,
A loyal subject well may kill.
Wine, too, of France, the price unpaid,
We'll drink it, to annoy their trade;
We'll fleece the rascals, if we can,
And damn their pagan rights of man.
Haste, then, dear Dick, the madam bring;
God send you safe, and bless the king.

J. P. CURRAN.

THE PLATE WARMER.

Extract from a private letter of Mr. Curran on the subject of this poem.

"I have been very low for some weeks. I was extremely ill. An un-aired court-house, and some very small inadvertencies, had accumulated a dreadful cold upon me; incessant cough—sleeplessness of course—and utter loss of spirits and appetite. Now, thank God, I am recovered, but yet as tender as so tough a sprig can be, and green as a laurel—fit almost to weave a chaplet for our old friend the Roving Bard that sung the 'Brilliant brothers bred and born bright.'—Apropos—Did they give you my Plate Warmer? I thought of you and Tom * twenty times during its gestation. I fear it shews there may be eccentricity without fancy. A worm may crawl as far from the direct line as a bird can fly, though not so quickly; and yet the reasoning of dulness is not void of principle; for if wit be the combination of ideas having the least possible resemblance, is it not natural to suppose that to be still more witty, when there is no resemblance at all? You'll find also some dragging in parts of the narration, not much to be wondered at in any thing written by snatches, and in which the welding of cold iron is so very difficult, as it must be, where you are obliged to supply the want of heat by hammering. On the whole, I expected little, but I found less. I thought all the poets had gone too far in burlesquing Vulcan, and I thought to furbish him

* The Rev. Thomas Crawford, of Lismore.

up into something better than a mere blacksmith, and more likely to find some grace in the eyes of Venus. Venus, too, has been very much degraded by the licentiousness of modern poets. Homer, and still more Virgil, make her full of taste, a sensibility sometimes an ill counsellor, that loved not ice, and could not walk upon it without sometimes slipping—a keen, subrisive, but polished artifice, that could draw for its purposes from the tenderest sources of the heart. To do this, or rather to attempt it, naturally threw the key of the verses into a flat third; but, unfortunate! of the few that saw it, none saw into any design but that of unmixed comicality. I dare say, if it had been visible, it would have been seen. I fancy the union of the sad and the gay is scarcely in nature. They may heighten each the other, if it be juxtaposition without blending; and that few have attempted with success. If they blend, they neutralize each other, and all effect is lost, unless, as in the δακρυσεν γελασασα of Homer, where no contrast is intended; but the smile and the tear form not a contrasted, but a co-operating expression of the same sentiment of maternal fondness. Perhaps the sad strain of the accompaniment to Corelli's famous jig may fall within the same idea. However all this fine criticism may be, you'll find little to commend, except the twilight, which I rather think is new. On the whole, I am not sorry that this poetical ticket should come up an honest prose blank. It will turn those intervals in which the mind must seek for refreshment in order to be able to work more usefully, to some better subject."

THE PLATE-WARMER.

In days of yore, when mighty Jove
With boundless sway ruled all above,
He sometimes chanced abroad to roam
For comforts, often missed at home:
For Juno, though a loving wife,
Yet loved the din of household strife;
Like her own peacocks, proud and shrill,
She forced him oft against his will,
Hen-peck'd and over-matched, to fly,
Leaving her empress of the sky;

And hoping on our earth to find
Some fair, less vocal and more kind.
But soon the sire of men and gods
Grew weary of our low abodes;
Tired with his calendar of saints,
Their squalling loves, their dire complaints:
For queens themselves, when queens are frail,
And forced for justest cause to rail,
To find themselves at last betrayed,
Will scold just like a lady's maid;
And thus poor Jove again is driven,
Oh, sad resource! to go to Heaven.
Downcast and surfeited with freaks,
The crop-sick thunderer upward sneaks,
More like a loser than a winner,
And almost like an earthly sinner;
Half quench'd the lustre of his eyes,
And lank the curl that shakes the skies;
His doublet buttoned to his chin,
Hides the torn tucker folded in.
Scarce well resolved to go or stay,
He onward takes his ling'ring way,
For well he knows the bed of roses
On which great Juno's mate reposes.
At length to Heaven's high portal come,
No smile, no squeeze, no welcome home;
With nose up-toss'd, and bitter sneer,
She scowls upon her patient dear;
From morn till noon, from noon to night,
'Twas still a lecture to the wight;
And yet the morning, sooth to say,
Was far the mildest of the day;
For in those regions of the sky
The goddesses are rather shy,
To beard the nipping early airs,
And therefore come not soon down stairs;
But, snugly wrapp'd, sit up and read,
Or take their chocolate in bed.
So Jove his breakfast took in quiet—
Looks there might be, but yet no riot;

And had good store of list'ners come,
It might have been no silent room;
But she, like our theatric wenches,
Loved not to play to empty benches:
Her brows close met in hostile form,
She heaves the symptoms of the storm,
But yet the storm itself repressed
Labours prelusive in her breast,
Reserved as music for that hour,
When every male and female power
Should crowd the festive board around,
With nectar and ambrosia crowned,
In wreathed smiles and garlands dress'd,
With Jove to share the gen'rous feast:
'Twas then the snowy elbowed queen
Drew forth the stores of rage and spleen;
'Twas then the gathered storm she sped
Full-levelled at the thunderer's head:
In descant dire, she chanted o'er
The tale, so often told before;
His graceless gambols here on earth—
The secret meeting—secret birth;
His country freaks in dells and valleys,
In town, o'er Strands, and Cranbourne-alleys.
Here lifts his burglar hand the latch,
There scrambles through the peasant's thatch;
When such a prowling fox gets loose,
What honest man can keep his goose?
Nor was the Theban feat untold,
Trinoctial feat so famed of old;
When night the pandar vigil kept,
And Phœbus snored as if he'd slept.
And then Europa, hateful name—
A god a bull—oh, fie for shame!
When vagrant love can cost so dear,
No wonder we've no nursery here,
No wonder when imperial Jove
Can meanly hunt each paltry love,
Sometimes on land, sometimes on water,
With this man's wife, and that man's daughter;

If I must wear a matron willow,
And lonely press a barren pillow.
When Leda, too, thought fit to wander,
She found her paramour a gander;
And did his god-ship mount the nest,
And take his turn to hatch and rest?
And did he purvey for their food,
And mince it for the odious brood?
—The eagle wink'd, and drooped his wing,
Scarce to the dusky bolt could cling,
And look'd as if he thought his lord
A captain with a wooden sword;
While Juno's bird display'd on high
The thousand eyes of jealousy.
Hermes look'd arch, and Venus leer'd;
Minerva bridled, Momus sneer'd;
Poor Hebe trembled, simple lass,
And spilt the wine and broke the glass.
Jove felt the weather rather rough,
And thought long since 't had blown enough:
His knife and fork, unused, were cross'd,
His temper and his dinner lost;
For ere the vesper peal was done,
The viands were as cold as stone.
This Venus saw, and grieved to see;
For though she thought Jove rather free,
Yet, at his idle pranks she smiled,
As wanderings of a heart beguil'd;
Nor wondered if astray he run,
For well she knew her 'scape-grace son;
And who can hope his way to find,
When blind, and guided by the blind?
Her finger to her brow she brought,
And gently touched the source of thought,
The unseen fountain of the brain,
Where fancy breeds her shadowy train:
The vows that ever were to last,
But wither ere the lip they've pass'd;
The secret hope, the secret fear,
That heaves the sigh, or prompts the tear;

The ready turn, the quick disguise,
That cheats the lover's watchful eyes;
So from the rock, the sorcerer's wand
The gushing waters can command;
So quickly started from the mind,
The lucky thought she wished to find.
Her mantle round her then she threw,
Of twilight made, of modest hue;
The warp by mother night was spun,
And shot athwart with beams of sun,
But beams first dawn through murky air,
To spunge the gloss, and dim the glare;
Thus gifted with a double charm,
Like love 'twas secret and 'twas warm.
It was the very same she wore
On Simois' banks, when, long before,
The sage Anchises form'd the plan
Of that so brave and god-like man,
Whose fame o'er-topp'd the topmost star,
For arts of peace and deeds of war;
So famed for fighting and for praying,
For courting warm, and cool betraying;
Who show'd poor Dido, all on fire,
That Cyprus was not far from Tyre;
The founder of Hesperian hopes,
Sire of her demi-gods and popes.
And now her car the Paphian queen
Ascends, her car of sea-bright green.
Her graces slim with golden locks
Sat smiling on the dicky box,
While Cupid wantons with a sparrow
That perched upon the urchin's arrow.
She gives the word, and through the sky
Her doves th' according pinions ply,
As bounding thought, as glancing light,
So swift they wing their giddy flight;
They pass the wain, they pass the sun,
The comet's burning train they shun,
Lightly they skim the ocean vast,
And touch the Lemnian isle at last.

Here Venus checks their winged speed,
And sets them free to rest or feed;
She bids her Graces sport the while,
Or pick sweet posies round the isle,
But cautions them against mishaps,
For Lemnos is the 'Isle of Traps;'
'Beware the lure of vulgar toys,
And fly from bulls and shepherd's boys.'

A cloud of smoke that climbs the sky
Bespeaks the forge of Vulcan nigh;
Thither her way the goddess bends,
Her darling son her steps attends,
Led by the sigh that Zephyr breathes,
When round her roseate neck he wreathes.
The plastic god of fire is found,
His various labours scatter'd round;
Unfinish'd bars, and bolts, and portals,
Cages for gods and chains for mortals;
'Twas iron work upon commission,
For a romance's first edition.
Soon as the beauteous queen he spied,
A sting of love, a sting of pride,
A pang of shame, of faith betray'd,
By turns his labouring breast invade;
But Venus quell'd them with a smile,
That might a wiser god beguile;
'Twas mixed with shame, 'twas mixed with love,
To mix it with a blush she strove.
With hobbling step he comes to greet
The faithless guest with welcome meet:
Pyracmon saw the vanquish'd god,
And gives to Steropes the rod;
He winks to Brontes as to say,
"We may be just as well away,
They've got some iron in the fire,"
So all three modestly retire.

"And now, sweet Venus, tell," he cries,
"What cause has brought thee from the skies?
Why leave the seat of mighty Jove?
Alas! I fear, it was not love.

What claim to love could Vulcan boast,
An outcast on an exile coast,
Condemn'd in this sequestered isle,
To sink beneath unseemly toil?
'Tis not for me to lead the war,
Or guide the day's refulgent car;
'Tis not for me the dance to twine,
'Tis not for me to court the Nine;
No vision whispers to my dream,
No muse inspires my wakeful theme;
No string, responsive to my art,
Gives the sweet note that thrills the heart:
The present is with gloom o'ercast,
And sadness feeds upon the past.
Say, then, for ah! it can't be love,
What cause has brought thee from above?"
So spoke the god in jealous mood,
The wily goddess thus pursued:
"And canst thou, Vulcan, thus decline,
The meeds of praise so justly thine?
To whom, the fav'rite son of heaven,
The mystic powers of fire are given;
That fire that feeds the star of night,
And fills the solar beam with light;
That bids the stream of life to glow
Thro' air, o'er earth, in depths below:
Thou deignest not to court the Nine,
Nor yet the mazy dance to twine;
But these light gifts of verse and song
To humbler natures must belong:
Behold yon oak that seems to reign
The monarch of the subject plain,
No flowers beneath his arms are found,
To bloom and fling their fragrance round;
Abash'd in his o'erwhelming shade,
Their scents must die, their leaves must fade.
Thou dost not love through wastes of war,
Headlong to drive the ensanguin'd car,
And sweep whole millions to the grave;
Thine is the nobler art to save:
Form'd by thy hand, the temper'd shield
Safe brings the warrior from the field;

Ah! could'st thou then the mother see,
Her ev'ry thought attach'd to thee!
Not the light love that lives a day,
Which its own sighs can blow away;
But fix'd and fervent in her breast,
The wish to make the blesser bless'd.
Then give thy splendid lot its due,
And view thyself as other view.
Great sure thou art, when from above,
I come a supplicant from Jove;
For Jove himself laments like thee,
To find no fate from suff'ring free:
Dire is the strife when Juno rails,
And fierce the din his ear assails.
In vain the festive board is crown'd,
No joys at that sad board are found;
And when the storm is spent at last,
The dinner's cold, and Jove must fast.
Could'st thou not then with skill divine,
For every cunning art is thine,
Contrive some spring, some potent chain,
That might an angry tongue restrain,
Or find, at least, some mystic charm,
To keep the sufferer's viands warm?
Should great success thy toils befriend,
What glory must the deed attend!
What joy through all the realms above!
What high rewards from grateful Jove!
How bless'd! could I behold thee rise
To thy lost station in the skies;
How sweet! should vows thou may'st have thought
Or lightly kept, or soon forgot,
Which wayward fates had seem'd to sever
Their knots retie, and bind for ever!"

She said and sigh'd, or seem'd to sigh,
And downward cast her conscious eye,
To leave the god more free to gaze—
Who can withstand the voice of praise!
By beauty charm'd, by flatt'ry won,
Each doubt, each jealous fear is gone;

No more was bow'd his anxious head,
His heart was cheer'd; he smil'd and said:
" And could'st thou vainly hope to find
A power the female tongue to bind?
Sweet friend! 'twere easier far to drain
The waters from the unruly main,
Or quench the stars, or bid the sun
No more his destined courses run;
By laws as old as earth or ocean,
That tongue has a perpetual motion,
Which marks the longitude of speech;
To curb its force, no pow'r can reach:
Its privilege is raised above
The sceptre of imperial Jove.
Thine other wish, some mystic charm
To keep the sufferer's viands warm,
I know no interdict of fate,
Which says that art mayn't warm a plate.
The model, too, I've got for that,
I take it from thy gipsy hat;
I saw thee thinking o'er the past,
I saw thine eye-beam upward cast,
I saw the concave catch the ray,
And turn its course another way;
Reflected back upon thy cheek,
It glow'd upon the dimpled sleek."
The willing task was soon begun,
And soon the grateful labour done;
The ore, obedient to his hand,
Assumes a shape at his command;
The tripod base stands firm below,
The burnish'd sides ascending grow;
Divisions apt th' interior bound,
With vaulted roof the top is crown'd.
The artist, amorous and vain,
Delights the structure to explain,
To show how rays converging meet,
And light is gather'd into heat.
Within its verge he flings a rose,
Behold how fresh and fair it glows;

O'erpower'd by heat now see it waste,
Like vanish'd love its fragrance past!
Pleased with the gift, the Paphian queen
Remounts her car of sea-bright green;
The gloomy god desponding sighs
To see her car ascend the skies,
And strains its less'ning form to trace,
Till sight is lost in misty space,
Then sullen yields his clouded brain,
To converse with habitual pain.
The goddess now arrived above,
Displays the shining gift of love,
And shows fair Hebe how to lay
The plates of gold in order gay.
The gods and goddesses admire
The labour of the god of fire,
And give it a high-sounding name,
Such as might hand it down to fame,
If 'twere to us weak mortals giv'n,
To know the names of things in heav'n;
But on our sublunary earth
We have no words of noble birth,
And even our bards in loftiest lays,
Must use the populace of phrase.
However call'd it may have been,
For many a circling year 'twas seen
To glitter at each rich repast,
As long as heaven was doom'd to last.
But faithless lord—and angry wife—
Repeated faults—re-kindled strife—
Abandon'd all domestic cares—
To ruin sunk their own affairs—
The immortals quit the troubled sky,
And down for rest and shelter fly;
Some seek the plains, and some the woods,
And some the brink of foaming floods:
Venus, from grief religious grown,
Endows a meeting-house in town;
And Hermes fills the shop next door
With drugs far brought, a healthful store!

What fate the Graces fair befel
The muse has learn'd, but will not tell.
To try and make afflictions sweeter,
Momus descends and lives with Peter;
Tho' scarcely seen the external ray,
With Peter all within is day,
For there the lamp by nature giv'n
Was fed with sacred oil from Heav'n.
Condemn'd a learned rod to rule,
Minerva keeps a Sunday school.
With happier lot the god of day
To Brighton wings his minstrel way;
There come, a master touch he flings,
With flying hand, across the strings;
Sweet flow the accents soft and clear,
And strike upon a kindred ear.
Admitted soon a welcome guest,
The god partakes the royal feast;
Pleased to escape the vulgar throng,
And find a judge of sense and song.

Meantime, from Jove's high tenement
To auction every thing is sent;
Oh grief! to auction here below!
The gazing crowd admire the show,
Celestial beds, imperial screens,
Busts, pictures, lustres, bright tureens.
With kindling zeal the bidders vie,
The dupe is spurr'd by puffers sly,
And many a splendid prize knock'd down
Is sent to many a part of town;
But all that's most divinely great
Is borne to ——'s in —— street;
Th' enraptured owner loves to trace
Each prototype of heav'nly grace,
In every utensil can find
Expression, gesture, action, mind;
Now burns with gen'rous zeal to teach
That lore which he alone could reach,
And gets, lest pigmy words might flag,
A glossary from Brobdignag;

To preach in prose, or chant in rhyme,
Of furniture the true sublime,
And teach the ravish'd world the rules
For casting pans and building stools.
Poor Vulcan's gift among the rest
Is sold, and decks a mortal feast,
Bought by a goodly alderman,
Who lov'd his plate and lov'd his can;
And when the feast his worship slew,
His lady sold it to a Jew.
From him, by various chances cast,
Long time from hand to hand it past:
To tell them all would but prolong
The ling'ring of a tiresome song;
Yet still it look'd as good as new,
The wearing prov'd the fabric true:
Now mine, perhaps by fate's decree,
Dear Lady R—, I send it thee;
And when the giver's days are told,
And when his ashes shall be cold,
May it retain its pristine charm,
And keep with thee his mem'ry warm!

THE GREEN SPOT THAT BLOOMS O'ER THE DESERT OF LIFE.

A Song.

O'ER the desert of life, where you vainly pursued
Those phantoms of hope which their promise disown
Have you e'er met some spirit divinely endued,
That so kindly could say, You don't suffer alone?
And however your fate may have smiled or have frown'd,
Will she deign still to share as the friend or the wife?
Then make her the pulse of your heart; for you've found
The green spot that blooms o'er the desert of life.

2.

Does she love to recal the past moments so dear,
When the sweet pledge of faith was confidingly given,

When the lip spoke the voice of Affection sincere,
And the vow was exchanged and recorded in Heaven?
Does she wish to rebind what already was bound,
And draw closer the claim of the friend and the wife?
Then make her the pulse of your heart; for you've found
The green spot that blooms o'er the desert of life.

THE POOR MAN'S LABOUR.

A Song.

My mother wept—the stream of pain
Flow'd fast and chilly from her brow;
My father pray'd, nor pray'd in vain,
Sweet mercy cast a glance below.
Mine husband dear, the sufferer cried,
My pains are o'er—behold your son!
Thank Heaven, sweet partner, he replied,
The poor boy's labour is then begun.

Alas! the hapless life she gave
By fate was doom'd to cost her own;
Soon, soon, she found an early grave,
Nor stay'd her partner long alone;
But left their orphan here below,
A stranger wild beneath the sun,
This lesson sad to learn from woe,
The poor man's labour is never done.

No parent's hand, with pious care,
My childhood's devious path to guide,
Or bid my vent'rous soul beware
The griefs that smote on every side.
'Twas still a round of changing woe,
Woe never ending, still begun,
That taught my bleeding heart to know,
The poor man's labour is never done.

Soon dies the falt'ring voice of fame;
The vows of love too warm to last,
And friendship, what a faithless dream!
And wealth, how soon thy glare is past!

Yet still one hope remains to save—
The longest course must once be run,
And in the shelter of the grave
The poor man's labour must be done.

THE MERIDIAN IS PAST.

The meridian is past, and the comfortless west
Now calls the dull evening of life to repose;
Say then, thou worn heart, why not yield thee to rest,
Or why court the return of thy joys or thy woes?

If thy noon-tide affection so coldly was paid
With whate'er it possess'd, or of warmth or of light,
Say what canst thou hope when thou sink'st to the shade,
But in vain to lament by the cold star of night?

Or perhaps thou but wishest those hours to review,
Which so deeply thy pains and thy pleasures could move,
When hope, flattering hope! to thy passion untrue,
Call'd the soft voice of friendship the sweet note of love.

Oh then let fond mem'ry recal every scene,
Every word, look, or gesture, that touch'd thee the most;
Let her tears, where 'tis faded, refresh the faint green,
And though joy may escape, let no suff'ring be lost!

Let each precious remembrance be cherish'd with care,
Let thy inmost recess be their consecrate shrine;
Let the form too of her, so ador'd, be found there,
Such as friendship may wonder how love could resign!

And when oft the lone mourner her image reviews,
Let her eye scorn to fill, or her bosom to heave;
And, if infidel love to believe shall refuse,
Be thou once more a dupe, and let fancy deceive!

The following are the unrevised fragments of a poem, the last that Mr. Curran meditated, and which death prevented his completing.

TO MRS. FORTY,

THE DISPENSER OF THE WATERS AT CHELTENHAM.

HAIL, Madam Forty! thou whose name
From pole to pole is blown by fame;
From where, by light of eastern ray,
Phœbus drives on the car of day,
To where he ties his evening cap,
And sleeps or dreams on Tithy's lap;
Who chides his long delay since morn,
Yet kindly greets his late return.
Phœbus, to whom alone belong
The gifts of medicine, light, and song;
Who made for thee th' Hygeian source,
And gave thee to dispense its force.
Behold the goodly alderman,
That dearly loves his plate and can,
With rosy gills, and luscious eye,
That lives to eat, and eats to die;
That fills the compass of his frame
With every thing that bears the name
Which Adam gave; each bird that flies,
Each fish that cleaves the nether skies.
Such various elements ajar
The vast alembic fill with war;
The hot, the cold, the sweet, the sour,
By turns submit, by turns o'erpow'r;
And still, in this intestine strife,
Some victor enemy of life,
Unless a stronger hand should save,
Would mark the victim for the grave.
But Phœbus saw those griefs of man,
And kindly form'd a healing plan:
He chose a spot where many a hill
Sends down its tributary rill;

Whose bosom stores the beam profuse
Of summer's sun for winter's use;
There, in the secret womb of earth,
By chemic fire matured to birth,
Each antidote, each anodyne,
Their various qualities combine;
Till, from the reservoir below,
They learn to swell, to rise, to flow.
The god beheld the gushing flood,
And blest it, for he saw 'twas good.
Then, for most mighty causes moving,
His trusty cousin, loved and loving,
In virtue of his pow'r supreme,
He crowns thee Priestess of the stream.
'And now behold the ghastly band
From Albion's isle or foreign land
At footstep of thy throne appear,
Their symptoms tell, their off'rings bear.
With gracious pharmaceutic smile
Received, how oft such looks beguile!
Form'd half of nature, half of art,
The thinking head, the feeling heart,
They hear thy mandate: 'Quaff the spring
To-day; to-morrow health will bring.'
In anxious haste they try the charm
Of 'number four, a little warm.'
Mira retrieves her fading bloom,
And basks in hope of joys to come.
Chlorinda, snatched from pale disease,
Once more assumes the power to please.
The faithful Strephon by her side,—
His partner loved, his future bride,—
With rapture marks how sickness flies—
How swims her step—how glance her eyes.
He holds the watch, and she the glass:
Both count the moments as they pass.
In snow-white candour not ashamed;
And, blameless, fear not to be blamed.
Oh, happy state! when souls thus draw
Each other, and where nature 's law!

'Twas so of old, when father Adam
Held converse pure with mother Madam:
No act unseen, no secret thought,
But all to candid view was brought.
Then innocence was in her prime—
No notion guilt, no deed was crime.
Their hours, the woodland wilds among,
Were given to prayer, to love, to song,
Or gathering posies side by side,
One pick'd them, and the other tied;
No censuring folks to watch or mind 'em,
No fans were then, nor prudes behind 'em;
But all was undisguised and free,
That birds, and beasts, and Heaven might see.
Nothing in coy disguise they keep;
Satan himself might take a peep.
Nor yet, great Priestess, do the fair
Alone engross thy guardian care;
For man, all worthless though he be,
Still prays, nor prays in vain, to thee.
Return'd from Ganges' crimson'd flood,
Laden with gold, and bathed in blood;
His veins with sickly fluid fraught,
The colour of the dross he sought;
Arm'd with the Gospel and the knife,
The sting of death, the pledge of life;
For love of Heaven the faith he sold,
And butcher'd for the love of gold.
Yet even he can favour find,
As if to vice or virtue blind,
To pity and to spare you deign,
And send him to his crimes again.
But, Priestess, let the Muse advise;
The present moment quickly flies.
The magic song, the graceful air,
The cestus'd waist, the glossy hair,
These are not destined long to last,
But fast they fade, and soon they're past.
Apollo now is fond and kind;
But Jove himself has changed his mind.

So Phœbus' beam, at morn how bright,
How warm at noon, how cold at night!
Soon may some blow descend and sever:
Occasion miss'd is lost for ever.
Rich boons he's granted; but remain
Still richer, which thou may'st attain:
Let him for thee nail up death's portal,
And dub thee, by a word, immortal.
To body now thy power confined;
Why not extend it to the mind?
Why not bestow some drastic art
To purge the brain, and cleanse the heart?
How charm'd might then the world behold
The blissful age of bloodless gold!

* * * *

The British peer might come to scorn
Fit wreaths the boxer to adorn;
Might cease to curb the harness'd steed,
The whip resign, and learn to read.
To court your shrine should Albion deign,
What precious gifts she might obtain!
Richer than all her hoarded pelf—
The precious gift—to know herself.
Sullen, and cold, and dark, and dumb,
And mantled in impervious gloom,
She makes herself a standard measure,
In virtue of her tyrant pleasure:
Because the minstrel she can buy,
She thinks to judge the minstrelsy.

* * * *

The brain may think, the thought be told;
But to the neutral ear 'tis cold,
If Heaven refuse the magic art
Of song to send it to the heart.
This art, the richest gift of Heaven,
To Albion's land was never given.
Dull to her ear the matin lay
That warbles from the morning spray;
But dear the charnel knell, so holy,
So cheering, and so melancholy!

Who most is charm'd, how can you know?
Who wakes above, or sleeps below?
Oft has the Muse's harp been strung
On Scotia's wilds, and sweet the song!
Echo floats down on passing time,
And brings to Scott his birthright rhyme.

* * * *

In Erin, too, the poet's fire
Once warm'd the heart-strings of her lyre,
When fervent he has swell'd the strain
With hope or love, nor swell'd in vain;
Or, drooping o'er the warrior's grave,
Who perish'd when he could not save,
He sung the gallant deeds that sped
His race of glory to the dead;
Nor left his crested helm untold,
Nor sword that shone in burnish'd gold.
But that sword, once the hero's pride,
Rusts in the coffin by his side.
Yet sweet his fate! No more he hears
His country's groan, nor sees her tears;
No more he counts his kindred slain,
Nor sickens at the stranger chain;
And though the ruffian hand may wrest
The kerchief from his darling's breast,
Whether she weeps, or shrinks, or flies,
Or fills deaf Heaven with fruitless cries
Or screams for succour to the dead,
And clasps the stone that marks his head,
It stirs no pulse—it gives no breath—
He hears it not—he sleeps in death.
Such is the song of early time,
And such the soul it gives to rhyme;
Such is the knot that to the past
The present ties, and makes time last.
But, wheresoe'er the Briton roam,
No song can spring the thought of home.
He cannot say, "Oh, bard divine!
Repeat that lay, that lay is mine.
Oft has it heaved my infant breast—
Oft sooth'd my infant cares to rest.

Then once again, oh, bard divine!
Repeat it, for the lay is mine."

* * * *

Art may be learnt, and wisdom taught,
And taste depraved, but never bought.
Yet see approach the motley train,
Cringing, yet bold—and vile, though vain;
The dregs of Italy and France;
Venders of song, and lust, and dance.
The chaplet fades on Kemble's brow;
The soul of Young forgets to glow;
And Kean—the honey-moon of fame
Scarce past—forswears the bridal name.
But Catalani sneers and mocks
Th' unlist'ning babble of the box.
The money, not the praise, she prizes,
And smiles, and curtsies, and despises.
The cockney dame, well pleased the while,
Nods knowing, and gives back the smile:—
"Here, ma'am, no English harsh and coarse
Grates on our ear, still worse and worse,
But interjections soft—Oh Dio!
Or murm'ring sweet, bel idol mio!
No facts perplex—for what, or why,
Or who?—the Briton scorns to pry.
There Mr. Kemble twits his mother
About some nonsense with her brother,
As if a high-born people cares
About mere family affairs.
It hurts the manners of the age
To bring such subjects on the stage;
But on the dear Italian scene
Such horrors cannot intervene;
To ear and eye the charm confined,
Obtrudes no labour on the mind;
While fancy feeds on visions bright,
Formed, not of objects, but of light;
This is the tone of recreation
That best befits a thinking nation:

And, while such arts their station keep,
Otway may starve, and Shakespeare sleep.'

* * * *

Nor have we bought their song alone;
Their ballet has become our own:
The tender babe now learns what mean
The tactics of the waltz obscene—
The irony of attitude,
That blends the wanton with the prude—
The changeful neck—the hinting look
Of coy advance, or arch rebuke—
The dizzy round, that lifts in air
The dress, and flings the body bare,
All helpless to th' unhallow'd stare:
The sponsor at the font of vice,
And pandar at the sacrifice—
The mother, in the infant's name,
Plights the vow of guilt and shame;
Her quick'ning glances teach to blow
The buds of folly and of woe.
Poor child! she knows not yet "what's what,"
But with God's grace, she'll come to that:
Just like a telegraph she makes
The signs, nor yet the news partakes.

* * * * *

APPENDIX.

APPENDIX.

THE following curious and interesting document has been procured through the kindness of a friend for insertion in the present work.

ACCOUNT OF THE LATE PLAN OF INSURRECTION IN DUBLIN, AND THE CAUSES OF ITS FAILURE *.

THE plan was comprised under three heads—*Points of Attack, Points of Check*, and *Lines of Defence.*

The points of attack were three:—the *Pigeon-House*, the *Castle*, and the *Artillery-Barracks* at Island Bridge.

The attack was to begin with the Pigeon-House, the number of men 200. The place of assembly the Strand, between Irish Town and Sandymount. The time low water. The men to divide into two bodies: one to cross by a sand-bank between the Pigeon-House and the Lighthouse, where they were to mount the wall, the other to cross at Devonshire Wharf; both parties to detach three men with blunder-busses and three with *jointed pikes* concealed; who were to seize the sentries and gates for the rest to rush in. Another plan was formed for *high water*, by means of pleasure or fishing-boats going out in the morning one by one, and returning in the evening to the dock at the Pigeon-House, where they were to land. A rocket from this was to be the signal for the other two, viz.

* Annexed to the copy from which the above has been transcribed is the following memorandum, in the hand-writing of a gentleman who held a confidential situation under the Irish government. "The original of this paper was delivered by Mr. Emmet on the morning just before he was brought out to execution, in order to be forwarded to his brother Thomas Addis Emmet at Paris."

The Castle, the number of men 200. The places of assembly Patrick's street depot. *A house in Ship-street* was expected, also *one* near the gate. A hundred men to be armed with pointed pikes and blunderbusses, the rest to support them, and march openly with long pikes. To begin by the entrance of two job coaches, hackney coachmen, two footmen, and six persons inside, to drive in at the upper gate into the yard, come out of the coaches, turn back and seize the guard (or instead of one of the job coaches a sedan going in at the same time with two footmen, two chairmen, and one inside); at the same moment a person was, in case of failure, to rap at Lamprey's door, seize it, and let in others, to come down by a scaling ladder from a window on the top of the guard-house, while attacks were made at a public-house in Ship-street, which has three windows commanding the guard-house, a gate in Stephen-street, another at the Aungier-street end of Great George's-street leading to the ordnance, another at the new houses in George's-street, leading to the riding-yard, and another over a piece of a brick wall near the Palace-street gate. Scaling ladders for all these. Fire-balls if necessary for the guard-house of the upper gate. The LORD LIEUTENANT and *principal officers of government,* together with the bulk of artillery, to be sent off under an escort to the commander in Wicklow, in case of being obliged to retreat. I forgot to mention that the same was to be done with as much of the Pigeon-House stores as could be. Another part with some artillery to come into town along the quays, and take post at Carlisle bridge to act according to circumstances.

ISLAND BRIDGE, 400 men. Place of assembly Quarry-hole opposite, and Burying-ground. Eight men with pistols and one with blunderbuss to seize the sentry walking outside, seize the gates, some to rush in, seize the cannon opposite the gate, the rest to mount on all sides by scaling ladders; on seizing this, to send two cannon over the bridge facing the barrack-road. Another detachment to bring cannon down James's-street, another towards Rathfarnham as before. To each of the flank points, when carried, reinforcements to be sent, with horses, &c., to transport the artillery. Island bridge only to be maintained (a false attack also thought of after the others had been made on the rear of

the barracks, and, if necessary, to burn the hay stores in rear).

Three rockets to be the signal that the attack on any part was made, and afterwards a rocket of stars in case of victory, a silent one of repulse.

Another point of attack not mentioned, *Cork-street barracks;* if the officer could surprise it, and set fire to it; if not, to take post in the house (I think in Earl-street, the street at the end of Cork-street, leading to New-market, looking down the street with musquetry, two bodies of pikemen in Earl-street), to the right and left of Cork-street, and concealed from troops marching in that street. Another in (I think Marrowbone-lane) to take them in rear. Place of assembly fields adjacent, or Fenton fields.

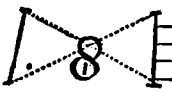
POINTS OF CHECK. The old Custom-house, 300 men. The gateway to be seized and guard disarmed by a few men, the gate to be shut or stopped with a load of straw, to be previously in the street. The other small gate to be commanded by musquetry, and the bulk of the 300 men to be distributed in Parliament-street, Crane-street, and those streets falling into Essex-street, in order to attack them if they forced out. The jointed pikes and blunderbusses lying under great-coats rendered all these surprises unsuspected; fire-balls if necessary, and a beam of rockets.

An idea also was, if money had been got, to purchase Rafferty's cheese-shop, opposite to it, to make a depot and assembly; and to mine under and blow up a part of the Custom-house, and attack them in confusion, as also the Castle. The miners would have been got also to mine from a cellar into some of the streets through which the army from the barracks must march. The assembly was at the coal-quay.

Mary-street barracks, sixty men. A house-painter's house, and one equally removed on the opposite side (No. 36, I believe), whose fire commands the iron gate of the barracks without being exposed to the fire from it, to be occupied by twenty-four blunderbusses; the remainder, pikemen, to remain nearer Coles-lane, or to be ready, in case of rushing out, to attack them. Assembly Coles-market, or else detached from Custom-house body.

The corner house of Capel-street, (it was Killy Kelly's), commanding Ormond Quay, and Dixon the shoemaker's (or the house beyond it), which open suddenly on the flank

of the army without being exposed to their fire, to be occupied by Blund:—assembly detached from Custom-house body.

Lines of defence. Beresford-street has six issues from Church-street, viz. Coleraine-street, King-street, Stirrup-lane, Mary's-lane, Pill-lane, and the Quay. These to be chained in the first instance by a body of chainmen; double chains and padlocks were deposited: they were to be done in this form,  and the sills of the doors marked. The blockade to be afterwards filled up; that on the Quay by bringing up the coaches from the stand, and oversetting them, together with the butchers' blocks from Ormond-market. The houses over the chains to be occupied with hand-grenades, pistols, and stones. Pikemen to parade in Beresford-street, to attack instantly any person that might penetrate; the number 200. Assembly, Smithfield depot, where were 800 pikes for reinforcements. The object was to force the troops to march towards the Castle, by the other side of the water, where the bulk of the preparations and men to receive them were.

Merchants' Quay. In case the army, after passing the Old Bridge, marched that way, Wogan's house, and a Birmingham warehouse next to it, to be occupied with musquetry, grenades, and stones; also the Leather Crane at the other end of the Quay: a beam to be before the Crane, lying across the Quay, to be fired on the approach of the enemy's column. A body of pikemen in Winetavern-street instantly to rush out on them in front, another body in Cook-street to do the same, by five lanes opening on their flank, and by Bridge-street in their rear. Another beam in Bridge-street, in case of taking that route, and then the Cook-street body to rush out instantly in front, and the Quay on the flank N; there was also a chain higher up in Bridge-street, as well as diagonally across John-street, and across New Row, as these three issues led into the flank of the Thomas-street line of defence, which it was intended only to leave open at the other flank, as it was intended to make them pass completely through the lines of defence. Wherever there were chains, the houses over them were occupied as above, and also such as commanded them in front. For this reason

the Birmingham warehouse, looking down Bridge-street, was to be occupied if necessary. There was also to be a rocket-battery at the Crane on the Quay, and another in Bridge-street; the number of men 300. Assembly, Thomas-street; depot Castigan's Mill.

THOMAS-STREET. In case of coming by Queen's-bridge, a beam in Dirty-lane; main body of pikemen in Thomas-street to rush on them instantly on firing the beam. The body on Quay to attack in rear: in case of repulse, Catherine's church; Market-house, and two houses adjacent, that command that street, occupied with musquetry. Two rocket-batteries near Market-house, a beam before it, body of pikemen in Swift's alley, and that range, to rush on their flank, after the beam was fired through Thomas-court, Vicars-street, and three other issues: the corner houses of those issues to be occupied by stones and grenades; the entire of the other side of the street to be occupied with stones, &c.; the flank of this side to be protected by a chain at James's Gate, and Guinness's Drays, &c.: the rear of it to be protected from Cork-street, in case the officer there failed, by chains across Rainesford-street, Crilly's-yard, Meath-street, Ash-street, and Francis-street. The Quay body to co-operate by the issues before-mentioned (at the other side), the chains of which could be opened by us immediately. In case of further repulse, the houses at the corner of Cutpurse-row, commanding the lanes at each side of Market-house, the two houses in High-street, commanding that open, and the corner house of Castle-street, commanding Skinner-row, to be successively occupied. In case of final retreat, the routes to be three: Cork-street to Templeogue New-street, Rathfarnham, and Camden-street department. The bridges of the Liffey to be covered six feet deep with boards full of long nails bound down by two iron bars, with spikes eighteen inches long, driven through them into the pavement, to stop a column of cavalry or even infantry.

The whole of this plan was given up by me, for the want of means, except the Castle and lines of defence, for which I expected 300 Wexford men, 400 Kildare men, and 200 Wicklow, all of whom had fought before, to begin the surprises at this side of the water, and by the preparations for defence, so as to give time to the town to assemble. The

county of Dublin was also to act the instant it began; the number of Dublin people acquainted with it I understood to be about 3 or 4000. I expected 2000 to assemble at Castigan's Mill, the grand place of assembly. The evening before, the Wicklow men failed, through their officer. The Kildare men who were to act (particularly with me), came in, and at five o'clock went off again, from the canal harbour, on a report from two of their officers that Dublin would not act. In Dublin itself, it was given out, by some treacherous or cowardly persons, that it was postponed till Wednesday. The time of assembly was from six till nine: and at nine, instead of 2000, there were 80 men assembled; when we came to the Market-house they were diminished to eighteen or twenty. The Wexford men did assemble, I believe, to the amount promised on the Coal Quay; but 300 men, though they might be sufficient to begin on a sudden, were not so, when government had five hours notice by expresses from Kildare.

Add to this, the preparations were, from an unfortunate series of disappointments in money, unfinished, scarcely any blunderbusses bought up.

The man who was to turn the fuzes and rammers for the beams forgot them, and went off to Kildare to bring men, and did not return till the very day. The consequence was, that all the beams were not loaded, nor mounted with wheels, nor the train bags of course fastened on to explode them. From the explosion in Patrick-street, I lost the jointed pikes which were deposited there; and the day of action was fixed before this, and could not be changed.

I had no means for making up for their loss, but by the hollow beams full of pikes, which struck me three or four days before the 23d.

From the delays in getting the materials, they were not able to set about them till the day before; the whole of that day and the next, which ought to have been spent in arrangements, was obliged to be employed in work. Even this, from the confusion occasioned by men crowding into the depot from the country, was almost impossible.

The person who had the management of the depot mixed by accident the slow matches that was prepared with what was not, and all our labour went for nothing.

The fuzes for the grenades he had also laid by, where he forgot them, and could not find them in the crowd.

The cramp-irons could not be got in time from the smith's, to whom we could not communicate the necessity of despatch, and the scaling ladders were not finished (but one). Money came in at five o'clock, and the trusty men of the depot, who alone knew the town, were obliged to be sent out to buy up blunderbusses, for the people refused to act without some.

To change the day was impossible, for I expected the counties to act, and feared to lose the advantage of surprise.

The Kildare men were coming in for three days; and, after that, it was impossible to draw back. Had I another week, had I 1000*l.*, had I 1000 men, I would have feared nothing. There was redundancy enough in any one part to have made up, if complete, for deficiency in the rest; but there was failure in all—plan, preparation, and men.

I would have given it the respectability of insurrection, but I did not wish uselessly to spill blood: I gave no signal for the rest, and they all escaped.

I arrived time enough in the country to prevent that part of it, which had already gone out with one of my men to disarm the neighbourhood, from proceeding. I found that, by a mistake of the messenger, Wicklow would not rise that night: I sent off to prevent it from doing so the next night, as it intended. It offered to rise even after the defeat, if I wished it, but I refused. Had it risen, Wexford would have done the same. It began to assemble, but its leader kept it back, till he knew the fate of Dublin. In the state Kildare was in, it would have done the same. I was repeatedly solicited by some of those who were with me to do so, but I constantly refused. The more remote counties did not rise, for want of money to send them the signal agreed on.

I know how men without candour will pronounce on this failure, without knowing one of the circumstances that occasioned it. They will consider only that they predicted it; whether its failure was caused by chance, or by any of the grounds on which they made their prediction, they will not care; they will make no distinction between a prediction fulfilled and justified, they will make no compromise of errors—they will not recollect that they predicted also that no system could be formed—that no secresy nor confidence could

be restored—that no preparations could be made—that no plan could be arranged—that no day could be fixed, without being instantly known at the Castle; that government only waited to let the conspiracy ripen, and crush it at their pleasure; and that on these grounds only they did predict its miscarriage. The very same men, that, after success, would have flattered, will now calumniate. The very same men, that would have made an offering of unlimited sagacity at the shrine of victory, will not now be content to take back that portion that belongs of right to themselves, but would violate the sanctuary of misfortune, and strip her of that covering that candour would have left her. R. E.

Shortly after Mr. Curran's death, several attestations to his character and powers appeared in the London newspapers. From these the two following are selected: the first, which appeared in The Morning Chronicle two days after his decease, was written by Mr. Godwin.

"Mr. Curran is almost the last of that brilliant phalanx, the cotemporaries and fellow-labourers of Mr. Fox, in the cause of general liberty. Lord Erskine in this country, and Mr. Grattan in Ireland, still survive.

"Mr. Curran is one of those characters which the lover of human nature and its intellectual capacities delights to contemplate: he rose from nothing; he derived no aid from rank and fortune; he ascended by his own energies to an eminence which throws rank and fortune into comparative scorn. Mr. Curran was the great ornament of his time of the Irish bar, and in forensic eloquence has certainly never been exceeded in modern times. His rhetoric was the pure emanation of his spirit, a warming and lighting up of the soul, that poured conviction and astonishment on his hearers. It flashed in his eye, and revelled in the melodious and powerful accents of his voice. His thoughts almost always shaped themselves into imagery, and if his eloquence had any fault, it was that his images were too frequent; but they were at the same time so exquisitely beautiful, that he must have been a rigorous critic that could have determined

which of them to part with. His wit was not less exuberant than his imagination, and it was the peculiarity of Mr. Curran's wit, that even when it took the form of a play on words, it acquired dignity from the vein of imagery that accompanied it. Every jest was a metaphor. But the great charm and power of Mr. Curran's eloquence lay in its fervour. It was by this that he animated his friends and appalled his enemies; and the admiration which he thus excited, was the child and the brother of love.

"It was impossible that a man whose mind was thus constituted should not be a patriot; and certainly no man, in modern times, ever loved his country more passionately than Mr. Curran loved Ireland. The services he sought to render her were coeval with his first appearance before the public, and an earnest desire for her advantage and happiness attended him to his latest breath. The same sincere and earnest heart attended Mr. Curran through all his attachments: he was constant and unalterable in his preferences and friendships, public and private. He began his political life in the connexion of Mr. Fox, and never swerved from it for a moment. Prosperity and adversity made no alteration in him; if he ever differed from that great man, it was that he sometimes thought his native country of Ireland was not sufficiently considered. There was nothing fickle or wavering in Mr. Curran's election of mind. The man that from an enlightened judgment, and a true inspiration of feeling, he chose, he never cooled towards, and never deserted.

"Mr. Curran had his foibles and his faults; which of us has not? At this awful moment it becomes us to dwell on his excellencies—and as his life has been illustrious, and will leave a trait of glory behind, this is the part of him that every man of a pure mind will choose to contemplate. We may any of us have his faults—it is his excellencies that we would wish, for the sake of human nature, to excite every man to copy in his proportion to do so."

The following appeared, October 20, in the Day and New Times: it is the production of the Rev. George Croly*,

* Author of Paris in 1815.

who, it will be seen, was free from any political sympathy which could betray him into exaggerated encomium; but however the views of the circumstances of Mr. Curran's public life may differ in the following sketch from those contained in the preceding volumes, it is still inserted as the honourable attestation of one whom no diversity of political opinion could restrain from offering an eloquent and disinterested tribute to the memory of a departed countryman.

"THE public prints, which announced the death of the Right Honorable John Philpot Curran a few days since, gave many valuable tributes to the memory of that celebrated man, but they still have left much more room than the present writer could expect to fill, for the detail of his extraordinary powers.

"From the period at which Curran emerged from the first struggles of an unfriended man, labouring up a jealous profession, his history makes a part of the annals of his country: once upon the surface, his light was always before the eye; it never sank, and was never outshone. With great powers to lift himself beyond the reach of that tumultuous and stormy agitation which must involve the movers of the public mind in a country such as Ireland then was, he loved to cling to the heavings of the wave; he at least never rose to that tranquil elevation to which his early contemporaries had, one by one, climbed; and never left the struggle till the storm had gone down,—it is to be hoped for ever. This was his destiny, but it might have been his choice; and he was not without the reward which, to an ambitious mind, conscious of eminent ability, might be more than equivalent to the reluctant patronage of the throne. To his habits, legal distinctions would have been only a bounty upon his silence,—his limbs would have been fettered by the ermine. But he had the compensation of boundless popular honour, much respect from the higher ranks of party, much admiration and much fear from the lower partisans. In parliament, he was the assailant most dreaded; in the law courts, he was the advocate whose assistance was deemed the most essential: in both he was an object of all the more powerful passions of man, but rivalry. He stood alone, and shone alone.

"The connexions of his early life, and still more the native

turn of his feelings, threw him into the ranks of opposition; in England a doubtful cause, and long separable from patriotism—in Ireland, at that day, the natural direction of every man of vigorous feeling and heedless genius. Ireland had been, from causes many and deep, an unhappy country. For centuries, utterly torpid, or only giving signs of life by the fresh gush of blood from her old wounds, the influence of England's well-intentioned policy was more than lost upon her; it was too limited to work a thorough reformation, but too strong not to irritate;—it was the application of the actual cautery to a limb, while the whole body was a gangrene. But a man who loved the influence of this noblest of countries, might hate the government of Ireland; it was a rude oligarchy. The whole influence of the state was in the hands of a few great families. Those were the true farmers-general of Ireland; and the English minister, pressed by the business of an empire then beginning to expand over half the world, was forced to take their contract on their own terms. The viceroy was their viceroy, only the first figure in that deplorable triumph which led all the hopes and virtues of the country in chains behind the chariot wheels of a haughty faction. It was against this usurpation that the Irish minority rose up in naked but resolute patriotism. The struggle was not long; they hewed their way through the hereditary armour of their adversaries, with the vigour of men leagued in such a cause, and advanced their standard till they saw it waving without one to answer it. In this homage to an admirable time there is no giddy praise of popular violence. The revolution of 1782 was to Ireland, what the revolution of a century before had been to the paramount country, a great and reviving effort of nature to throw off that phantom which sat upon her breast, and gave her the perception of life only by the struggles that must have closed in stagnation and death. The policy of the English minister was too enlarged to offer resistance to an impulse awaked on English principles. For him a great service had been done; the building which he had wished to shake was cast down in dust, and the ground left open for the visitation of all the influences of good government. The country had lain before his eye a vast commonage, incapable of cultivation, and breeding only the rank and pernicious

fertility of a neglected morass; but he had dreaded to disturb its multitude of lordly pauperism, and hereditary plunder. It was now cleared and enclosed for him, a noble expanse for the outpouring of all that civilization could give to its various and magnificent nature. The history of those years is yet to be written;—whenever the temple is erected, the name of Curran must be among the loftiest on its portal.

"But the time of those displays which raised him to his highest distinction as an orator was of a darker shade. His country had risen, like the giant of Scripture, refreshed with wine,—her vast original powers doubly excited by an elating but dangerous draught of liberty. She had just reached that state in which there is the strongest demand for the wisdom of the legislator. The old system had been disbanded, but the whole components of its strength survived. The spirit of clanship was still up and girded with its rude attachments;—the hatred of English ascendancy had sheathed the sword, but kept it still keen, and only waiting the word to leap from the scabbard;—the ancient Irish habits of daring gratification among all ranks, the fallen estate of that multitude who had lived on the pay of political intrigue, the reckless poverty of that overwhelming population to which civil rights could not give bread, all formed a mass of discordant but desperate strength, which only required a sign. —The Cross was at length lifted before them, and it was the lifting of a banner to which the whole darkened host looked up, as to an omen of assured victory. The rebellion was met with manly promptitude, and the country was set at peace. Curran was the leading counsel in the trials of the conspirators, and he defended those guilty and misguided men with a vigour and courage of talent, less like the emulation of an advocate, than the zeal of a friend. He had known many of them in the intercourses of private life, some of them had been his early professional associates,—a good man and a good subject might have felt for them all. The English leveller is a traitor, the Irish rebel might have been a patriot. Among us, the revolutionist sets fire to a city, a great work of the wise industry, and old, established conveniency of man, a place of the temple and the palace, the treasures of living grandeur, and the monuments of departed virtue. He burns, that he may plunder among the ruins.

The Irish rebel threw his fire-brand into a wilderness, and if the conflagration rose too high, and consumed some of its statelier and more solid ornaments, it was sure to turn into ashes the inveterate and tangled undergrowth that had defied his rude industry. This was the effervescence of heated and untaught minds. The world was to be older, before it learned the curse and unhappy end of the reform that begins by blood. The French revolution had not then given its moral. It was still to the eyes of the multitude, like the primal vision in the Apocalypse, a glorious shape coming forth in unstained robes, conquering and to conquer for the world's happiness; it had not yet, like that mighty emblem, darkened down through all its shapes of terror, till it moved against the world, Death on the pale horse, followed by the unchained spirits of human evil, and smiting with plague, and famine, and the sword.

"Eloquence sustained a memorable loss in Curran. On the general subject of public speaking, it must be allowed to the distinguished northern publication which has chiefly discussed the question, that no man can look through even the most triumphant works of the Irish orators without finding much of extravagance and irregularity. Still, the Irish are an eloquent people,—perhaps the most eloquent.

"England, full of mind, has of course produced great public speakers. But their power has been largely derived from the practice implied by their station; they have seldom come into the field designated and native, by their heroic proportions and irresistible instincts, to combat and glory. Born for other pursuits, but capable of all, they have taken upon them the duty and the discipline, and have succeeded by the persevering qualities of their plastic nature; their fame was less conquered, than earned; it rested less upon the peculiar influence of oratory, than upon that master-use of general faculty which grows by perpetual exercise, and intimate converse with great concerns, and that direct power of masculine understandings, to give weight and impression to whatever language they condescend to use. The eloquence of the great English statesmen, is like the labours of the people. Leaving behind them mighty memorials, they have all been stamped with the evidence of their human formation; noble, full of utility, and giving the grandest proofs of the strength

of combined and civilized man; the canal, or the aqueduct, or the artificial hill, have not been more distinct from the living cataracts, and towering and stormy summits of the mountains of nature.

" Unequalled for self-command, for balanced dignity, for that unwearied and majestic elegance which raised him to the highest place of the first legislative assembly of the earth; the great minister of our day, ruling by his eloquence, placed its strength in argument, abstraction, and the choice of language. His rival, a man of extraordinary intellect, but with the elevation, adopting the spirit of an Epicurean deity, made his chief impression by scattered and irregular bursts of feeling. But all the attributes of " Eloquence divine," if they were ever found combined among men, belonged to another nation, and that nation was Ireland.

" Burke, Sheridan, Curran, and Grattan were Irishmen,—all dissimilar in their styles, but all bearing the same lineaments of their country; four memorable men, each, like Homer's chieftains, with his day of unrivalled triumph, and each seeming to come into the field with the radiance of a guiding deity upon his armed brow. Of these, but one survives, standing to this hour on the elevation to which the early gratitude of his country raised him, perhaps the most striking model ever wrought of brilliancy without glare, and vigour without violence. Unattaining and obviously careless to attain the Asiatic and imperial gorgeousness of the great chieftain of his native eloquence, BURKE, he has the close habit, polished armour, and pointed and sparkling steel of the Greek warrior. But Grattan cannot be judged of in England. He declared that his spirit went down into the grave with the parliament of Ireland. It was in his own country, when he gathered her rights and hopes like the wanderers of the air, and gave them shelter under his branches, that this monarch of the wilderness rose and spread in his full magnificence. On the questions which issued in giving a constitution to Ireland, Grattan exhibited powers as lofty as his cause. His feeling, his reason, and his imagination were condensed into one resistless splendour;—he smote with intense light;—the adversary might as well have stood before a thunderbolt. *Serus in cœlum.* His fame and his labours are a part of the renown and property of his country.

It was Curran's fate never to have been heard in the English legislature. His character is therefore thrown upon his printed speeches, and they can give no adequate impression of the orator. Those speeches were all uncorrected copies, and Curran was of all orators the most difficult to follow by transcription. His elocution, rapid, exuberant, and figurative, in a signal degree, was often compressed into a pregnant pungency which gave a sentence in a word. The word lost, the charm was undone. But his manner could not be transferred, and it was created for his style. His eye, hand, and form, were in perpetual speech. Nothing was abrupt to those who could see him, nothing was lost, except when some flash would burst out, of such sudden brilliancy as to leave them suspended and dazzled too strongly to follow the lustres that shot after it with restless illumination. Of Curran's speeches, all have been impaired by the difficulty of the period, or the immediate circumstances of their delivery. Some have been totally lost. The period was fatal to their authenticity. When Erskine pleaded, he stood in the midst of a secure nation, and pleaded like a priest of the temple of justice, with his hand on the altar of the constitution, and all England below, prepared to treasure every fantastic oracle that came from his lips. Curran pleaded, not on the floor of a shrine, but on a scaffold, with no companions but the wretched and culpable men who were to be plunged from it hour by hour, and no hearers but the multitude, who crowded anxious to that spot of hurried execution, and then rushed away glad to shake off all remembrance of scenes which had agitated and torn every heart among them. It is this which puts his speeches beyond the estimate of the closet. He had no thought of studying the cold and marble graces of scholarship. He was a being embarked in strong emergency, a man and not a statue. He was to address men, of whom he must make himself the master. With the living energy, he had the living and regardless variousness of attitude. Where he could not impel by exhortation, or overpower by menace, he did not disdain to fling himself at their feet, and conquer by grasping the hem of their robe. For this triumph he was all things to all men. His wild wit, and far-fetched allusions, and play upon words, and extravagant metaphors, all re-

pulsive to our cooler judgments, were wisdom and sublimity before the juries over whom he waved his wand. Before a higher audience he might have been a model of sustained dignity;—mingling with those men, he was compelled to speak the language that reached their hearts. Curran in the presence of an Irish Jury was first of the first. He skirmished round the field, trying every point of attack with unsuspected dexterity, still pressing on, till the decisive moment was come; when he developed his force, and poured down his whole array in a mass of matchless strength, grandeur, and originality. It was in this originality that a large share of his triumph consisted. The course of other great public speakers may in general be predicted from their outset, but in this man, the mind always full, was always varying the direction of its exuberance; it was no regular stream, rolling down in a smooth and straightforward volume;—it had the wayward beauty of a mountain torrent, perpetually delighting the eye with some unexpected sweep through the wild and the picturesque, always rapid, always glancing back sunshine, till it swelled into sudden strength, and thundered over like a cataract. For his noblest images there was no preparation, they seemed to come spontaneously, and they came mingled with the lightest products of the mind. It was the volcano, flinging up in succession curls of vapour, and fiery rocks; all from the same exhaustless depths, and with the same unmeasured strength to which the light and the massive were equal. The writer had the fortune to hear some of those speeches, and would impress it, that to feel the full genius of the man, he must have been heard. His eloquence was not a studiously sheltered and feebly fed flame, but a torch blazing only with the more breadth and brilliancy, as it was the more broadly and boldly waved; it was not a lamp, to live in his tomb. His printed speeches lie before us, full of the errors that might convict him of an extravagant imagination and a perverted taste. But when those are to be brought in impeachment against the great orator, it must be remembered, that they were spoken for a triumph, which they gained; that we are now pausing over the rudeness and unwieldiness of the weapons of the dead, without reference to the giant hand that with them drove the field. Curran's carelessness of fame has done

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